

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954-55

HOUSE OF ASSEMBLY

Tuesday, 12th July, 1955.

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

Present

His Honour Mr. K. N. R. HUSBANDS (*Speaker*); Hon. G. H. ADAMS, C.M.G., Q.C., B.A., (*Premier*); Hon. Dr. H. G. H. CUMMINS, (*Minister of Social Services*); His Honour Mr. A. E. S. LEWIS, (*Deputy Speaker*); Hon. M. E. COX, (*Minister of Communications, Works and Housing*); Mr. L. E. SMITH, J.P., (*Chairman of Committees*); Mr. F. L. WALCOTT, O.B.E., Hon. R. G. MAPP, (*Minister of Trade, Industry and Labour*); Mr. T. O. BRYAN, Mr. F. C. GODDARD, (*Leader of the Opposition*); Mr. F. E. MILLER, Mr. J. C. MOTTLEY, Mr. E. ST. A. HOLDER, Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries*); and Mrs. E. E. BOURNE.

Prayers were read.

PAPERS LAID

Hon. M. E. COX: Mr. Speaker, I beg to lay the following:

Report of the Committee appointed to investigate the claims of the 'Bus Concessionaires for an increase in bus fares and to make recommendations to the Government.

GOVERNMENT NOTICES

Hon. R. G. MAPP: Mr. Speaker, I beg to give notice of the following Resolution:

Resolution to sanction the Regulations entitled "The Exportation (Drawback of Duties on Manufactured Articles) Regulations, 1955".

Hon. G. H. ADAMS: Mr. Speaker, I beg to give notice of the following:

Bill to amend the Technical Assistance (Taxation Relief) Act, 1955.

MOTION FOR RESCISSION OF VOTE RE MR. TUDOR

Mr. GODDARD: Mr. Speaker, I wish to draw the attention of Your Honour and of this House to

the fact that on the last occasion towards the end of the meeting, a motion was made for the suspension of the hon. junior member for St. Lucy. It is unfortunate that the matter should have reached that stage because it could be considered to be irregular in the process of Committee. Under Rule 131, the procedure in Committee is quite clear and I can read it to you.

It states:

"In a Committee of the whole House, the Chairman, if it appears 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."

It is not my intention to open up the whole question of the merits or demerits of the case; I just wish to point out the irregular manner in which the matter was dealt with.

Mr. SPEAKER: I do not think the hon. member is quite in order. I thought the hon. member was giving notice of his intention to make a motion.

Mr. GODDARD: Sir, I beg to give notice of my intention to make a motion to rescind the vote of this House (on the grounds of irregular procedure) in connection with the suspension of the hon. junior member for St. Lucy from the service of this House.

Hon. G. H. ADAMS: Mr. Speaker, I am asking not to entertain that. No speech can be made on a vote of this House unless you first move that the vote be rescinded. The same question cannot be raised twice in the same Session; and the motion for suspension was made only last Tuesday.

Mr. GODDARD: Mr. Speaker, in that case I will ask you to read the Rules on that. That is not our interpretation of this particular Rule. I therefore draw your attention to Rule 91 which reads: "A resolution or other vote of the House may be read and rescinded."

Mr. SPEAKER: Yes, I notice the hon. junior member for Christ Church has given notice of a motion to rescind a vote in connection with an irregular procedure regarding the suspension of the hon. junior member for St. Lucy from the service of this House. The hon. senior member for St. Joseph has in his own opinion stated that the motion should not be entertained; and has made reference to the Rule which says that the same question cannot be taken up twice.

I do not look upon this motion as having been taken up twice especially where an irregularity has been pointed out; no hon. member could say that

the question is being taken up twice. I do not know what irregularity the hon. member has pointed to and I think it is but fair to have this motion entertained. It is quite a different thing from having the motion put twice. I think the Hon. Leader of the Opposition's motion is in Order. The hon. junior member for Christ Church may proceed.

[A VOICE: Has the member not got to move the suspension of Rules 88 and 89?]

Mr. GODDARD: Mr. Speaker, I beg to move that Rules 88 and 89 be suspended in order to deal with this matter to-day.

Mr. SPEAKER: That is not necessary.

Mr. E. D. MOTTLEY entered the House and took his seat.

Mr. SPEAKER: The hon. junior member for Christ Church may proceed.

Mr. GODDARD: On the last occasion when we were in Committee and heated words between the hon. junior member for St. Lucy and the hon. senior member for St. Joseph took place, the Chairman of Committees, (after an intervention on the one hand,) took it upon himself without much warning to the offending speaker or without any motion in Committee, and, as far as I can recollect, without the offending words having been taken down in committee to report to Your Honour. When Your Honour came back to the Chair you rightly pointed out to the Chairman that it was an irregular manner of dealing with the matter. The hon. senior member for St. George also drew your attention to the irregularity of the manner in which it had been done, and you then proceeded to act upon it under Rule 133.

3 25 p.m.

I am submitting today without taking up the merit or demerit of the case that the whole procedure was wrong and irregular; and I think that for the records of the House as to procedure in the future it should be corrected. I am asking the House to rescind the decision which was taken on the last occasion when the hon. junior member for St. Lucy was suspended from the services of this House for two weeks. I am making that motion now purely to keep the records correct. I do not wish anyone to generate heat all over again, but if we permit these things to go on we do not know where we will end.

I beg to move that the vote of the House suspending the hon. junior member for St. Lucy from the service of this House for two weeks be now rescinded.

Mr. E. D. MOTTLEY: Mr. Speaker, I rise to second the motion of the Hon. Leader of the Opposition. Before I do so, let me just say this: far be it from me to attempt to pull chestnuts out of the fire for as learned and able a man as the hon. junior member for St. Lucy, who I believe is of a Party of learned, eminent and distinguished scholars who could very well do any such thing for him. However, because I happen to be a member of the Official Opposition which is a minority party, and because I feel that this precedent which is created may be used in the future on another occasion when the House may not be comprised as it is on this occasion when this decision was taken, and this instance might be cited as a precedent and be used.

Like the Hon. Leader of the Opposition I am not going to recite any of the controversial words because I believe it is recorded in the Minutes what I said on that occasion; I am still of that opinion; and that opinion is based on the views I expressed then.

Like the Hon. Leader of the Opposition, I

say, that on reflection and further consideration of the matter (and without any reflection on the office of the Speaker of this Chamber) I too feel that something went wrong; and if we are to stick to Parliamentary procedure and what will go down in history as the correct thing, we should follow as nearly as possible what would have happened in the House of Commons.

What actually happened in this Chamber on another occasion? As the Hon. Leader of the Opposition has said (and as you will recall, sir,) the heat was really generated over the discussion of a Bill to amend the Representation of the People Act. As to whether the words used by the hon. junior member for St. Lucy were unparliamentary, undignified or not, I am not prepared to argue today; as to whether the hon. member should have withdrawn them or not withdrawn them, I am not prepared to argue today; but I do agree with the Hon. Leader of the Opposition that when it was brought to the notice of the Chairman of Committees that objection was taken to the words used, he in fact, did not observe the Rule which said or which made it clear what he should have done.

That having been the case, you rightly and immediately as soon as you assumed the Chair on being called, drew that to his attention. I think it was Rule 131 to which Your Honour referred; and then you went on to say that although there was a slip up by the Chairman of Committees, you would proceed to act under Rule 133.

I want Your Honour to appreciate that we are raising objection to the irregularity in the first place by the Chairman of Committees, and then in the second place by Your Honour in applying Rule 133 to the circumstances. We are submitting to you just as if we were Counsel before a Learned Judge, that we feel that you had erred. In other words, we are contending these things because we are in the Opposition; and because we are in the minority group; and because we feel on another occasion the House might be comprised quite differently from what it is comprised today.

If respect must be maintained for the Chair, then what happens today or yesterday and an attempt is made by a majority group to have it done tomorrow, then there will not be any respect for the Chair. I am thinking of what will happen; that some other Speaker might well look back and see what happened in 1955 and take it as a precedent. We are therefore submitting that there was no offence committed in the House and therefore Your Honour's allowing the motion to be put would create a precedent which would be somewhat irregular and not in keeping with the position expressed and set out under Rule 133.

3.35 p.m.

As I have said, sir, I have no idea at all of going into what was said in here by the hon. junior member for St. Lucy, nor do I have any idea of saying to-day whether the word complained of in my opinion should have been withdrawn, or should not be withdrawn. I do know that Your Honour in a very impartial manner in conducting the matter tried to throw oil on troubled waters by forcing out of the hon. junior member for St. Lucy that the words were not spoken with any specific reference to the Hon. Premier.

As hon. members who were here will recall, Your Honour made an attempt by rising from your seat to ask the Chairman of Committees to resume. I am not going into that today; but what I do submit and submit for the benefit of posterity (and I know Your Honour must have seen quoted

in the local Press during the weekend that after 18 years there was a suspension of an hon. member from the General Assembly) that this suspension of another hon. member after 18 years must not be looked upon as a precedent in the way in which it was done.

I think, sir, that we having done our duty we can do no more. But let me say this before I sit down: I am more than conscious that the motion put by the Hon. Leader of the Opposition is not a matter for Your Honour's ruling; but that this Chamber having voted and by its majority having made its decision that it is nearly impossible to get some hon. members of this Chamber, (especially with respect to the particular occasion and in respect of whom those words were spoken), to see or to say even if Your Honour were to admit that not only the Chairman made a slip but even Your Honour's interpretation hastily of Rule 133 as the Rule under which you would allow the motion was not quite correct, some members of this Chamber having the courage to have this matter rescinded. I know what courage they would have; they would go outside and possibly express a private opinion.

Mr. Speaker, you will observe the way in which I have spoken on this matter; you will observe that I have not spoken in my usual style. With those remarks I have much pleasure in seconding the motion that the vote suspending the hon. junior member for St. Lucy from the service of the House for two weeks be rescinded.

Mr. SPEAKER: Before any other hon. member speaks, I wish to say something on this matter as I will have to withdraw from the House temporarily for personal reasons. I want to make certain things clear to the House. First of all, I am going to read the three Rules 131, 132 and 133 as they come.

"Rule 131: In a Committee of the whole House, the Chairman, if it appears 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."

"Rule 132: Every such objection is to be taken at the time when such words are used, and not after any other member has spoken."

"Rule 133: 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 Hon. Leader of the Opposition has objected to an irregularity in procedure and he has referred to Rule 131 as putting the onus on the Chairman first to get the pleasure or displeasure of the House and to have the words that have been objected to taken down immediately.

That is unmistakably clear under Rule 131. I remember distinctly that I pointed out that to the Chairman after he had reported to me; and before the House had actually begun to deliberate on the matter after I resumed the Chair I said that the Chairman having slipped up on Rule 131, the only alternative to which I could resort to deal with the matter from the Chair was to apply it under Rule 133.

After further reading these three Rules together, it is my opinion that Rule 133 is contingent and dependent on Rule 131. The hon. senior member for the City said that I might not be bold enough to say that. I would only say that any man can slip; and if

the hon. Chairman has slipped, I have slipped up too. I am saying that for the whole island or the whole world to hear it.

I have read "May's" during the week-end and I have seen, as far as I can gather, that all Rules that contain the same substance, such as Rules 131 to 139 happen to be contingent on the same Rule; in this case Rule 131. That is as plain as a pike-staff. [A VOICE: Read 137.] I have been asked to read Rule 137. It reads as follows:

"Order is maintained in the House by Mr. Speaker and in a Committee of the whole House by the Chairman of such Committee; but disorder in a Committee can only be censured by the House on receiving a report."

The Chairman reported to me that the hon. junior member for St. Lucy had refused to withdraw certain words. The words were not given to me; the words were not taken down. The Chairman did not give me those words. I will ask the Chairman to refresh his memory. If the words had been taken down the Chairman would have had them on a slip of paper to hand to me. I had to call upon the Clerk who in turn had to send for the Reporter when it was found that there was some confusion as to the text of the Report. [VOICES.]

If hon. members would just quiet themselves I will explain the matter. I have discovered that the word "intimidating" was the objectionable word. I never discovered that from the Chairman; I discovered that from the Clerk who brought his text in his record to me.

No hon. member could claim that I was given the objectionable words except out of the text of the Clerk's book. If the Chairman had handed me a report of the objectionable words I would not have had to call for such a report. I am giving no direction to the House, because the motion is that the House rescind its own vote. It is absolutely clear that the matter has not been dealt with under Rule 131 and I had to deal with it under Rule 133. My own interpretation is that Rule 131 is dependent upon Rule 133.

Mr. L. E. SMITH: Mr. Speaker, this is one time I have been accused of something I have not done. When the words complained of were used by the hon. junior member for St. Lucy, the Hon. Premier got up promptly and objected to the remarks. I asked the hon. junior member for St. Lucy to withdraw them and he refused. The Hon. Premier then said: "Well, the words must be taken down." And the Clerk I am sure took down those words. My memory is very shallow, but I remember you asked me for the words and I said I cannot remember them exactly but the Clerk will read them out to you. I told you so; the words were taken down before I left the Chair. [Applause]. When you asked me for the words I said I could not remember the exact words which were read back by the Clerk in here.

Mr. SPEAKER: I had to get the Reporter back inside this House in order to get those words. Is that true or not true? [E. D. MOTTLEY: It is true.] I contend it is true. I cannot say what happened in Committee because I was not in Committee; but I can say what happened in the House when I was in the Chair.

The Chairman's report stated that the hon. junior member for St. Lucy had been called upon to withdraw certain words which had been taken objection to by the Hon. Premier. These words were not given to me I had to call upon the Clerk for them who had to get a report of those words from the Reporter; and the entire House knows that that also is true. If anything is true that also is true.

Mr. SMITH: The reason for having to call on the Reporter for his report was that one hon. member was saying that he did not say a particular word and the other hon. member was saying that he did; and for accuracy's sake they then called upon the Clerk to get the Official Report. But the words were taken down before I left the Chair.

Mr. SPEAKER: I am not going to say the Chairman was in error. I remember having to confer with the Clerk in order to find out exactly what happened.

Mr. E. D. MOTTLEY: Mr. Speaker, on a point of explanation. I will consider—

Mr. SPEAKER: I have heard that the hon. senior member for St. Joseph objected to the words complained of; and the hon. member asked that those words be taken down. The Clerk *did* take down some words. When I asked the Chairman if the words had been taken down, the Chairman's answer to me was: that he did not remember the words. In other words, if these words had been taken down, they would have subsequently been crossed out from the Clerk's notes.

What happened in my presence was this: I asked the Chairman have you got those words and the Chairman did not give me a satisfactory answer; if he had, I could not have asked the Clerk to get the words from the Reporter. In the text of the words of the Chairman's report something was absolutely wrong or I would not have had to send to the Reporter for the text to be certified. Hon. members will remember that it is not only the text of the words; Rule 131 has also been referred to by the hon. junior member for Christ Church. [VOICES: It was there; sure.] The Chairman has to ascertain that.

Mr. E. D. MOTTLEY: Mr. Speaker, I want to say something on a point of explanation.

Mr. SPEAKER: Is the hon. member speaking by permission?

Mr. E. D. MOTTLEY: I beg your pardon, sir.

Mr. SMITH: I will have to go back and remind Your Honour again.

Mr. SPEAKER: Not remind me, I was not in Committee.

Mr. SMITH: The reason for having to refer to the Reporter was due to the argument coming from both sides of the table. If there is anything crossed out I cannot be responsible for that; but when you asked me for the words I told you that I could not remember, but that the Clerk would read them to you. Out of the arguments coming from both sides of the House something was said to the effect that the Reporter did not have in—

Mr. SPEAKER: I am perfectly prepared to accept what the Chairman has said, because it does appear to clinch with the words from the Clerk's notes. Looking at the Clerk's notes I find that some words have been inserted. The words were read as follows: "People, including the honourable member of St. Joseph, were in and out of the polling booths intimidating voters either by words or gestures."

I just wanted the House to be satisfied that the words were taken down in Committee.
3.55 p.m.

Mr. E. D. MOTTLEY: This is all I want to get clear. If I recall rightly when Your Honour took that Chair the honourable senior member for St. George raised the question that the procedure was out of order; and Your Honour came there in the presence of the Chairman of Committees and said "the Chairman of Committees did make a slip in not taking down those words, but I will not allow you to take advantage of that. I will proceed under Rule 133." [Hon. R. G. MAPP: He did not say so.] Your Honour said that the words were not

taken down in Committee; when the honourable senior member for St. George raised his objection Your Honour said that inasmuch as the Chairman of Committees had slipped up on that—

Mr. SPEAKER: The honourable member is right to a point. I suggested that the Chairman of Committees did not satisfy Rule 131. I was under the impression that the words were not taken down; but I see from the records that the words were taken down. What has got to be decided now? The Rule says: "If it appears to be the pleasure of the Committee". Those words certainly imply that the pleasure must be sought.

ADJOURNMENT

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, the Other Place is waiting to meet this House on matters concerning the visiting U.K. Parliamentary Delegation. I myself want to speak on this matter now before the House as well as other honourable members; and inasmuch as we have to meet the Other Place and probably have tea before we resume, I am making a motion that this House do now adjourn for three quarters of an Hour.

Mr. LEWIS: I beg to second that.

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

4.05 p.m.

On re-assembling,

Hon. Dr. H. G. CUMMINS: Mr. Deputy Speaker, I have suggested to the honourable junior member for Christ Church that in the absence of Mr. Speaker, I think the matter which this House was debating before the adjournment should be postponed until he returns. I think the honourable junior member for Christ Church has agreed with my suggestion; and if he—

Mr. E. K. WALCOTT: Can I make one enquiry, Mr. Deputy Speaker? Would it be in order that we get a copy of the debate which took place upon this matter? I say that because personally I was not present when that debate took place; and I think it will be very helpful if the record of the debate was permitted so that honourable members could peruse it. I take it that once it is permitted there is no reason why we cannot have a copy of the record at the time. I hope, Mr. Deputy Speaker, you will appreciate that I am not speaking on the motion which was before the House,—the motion which was moved by the Hon. Leader of the Opposition.

Mr. DEPUTY SPEAKER: All the honourable member needs to do is to move that this debate be postponed and he will be in order.

Mr. E. K. WALCOTT: I take it that what the Hon. Leader of the House just said meant that. If he means that I will second the motion. I take it that he moved the motion.

Mr. DEPUTY SPEAKER: He did not move it.

Mr. E. K. WALCOTT: Well I will move it; but it should have come from him.

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

The question that the debate be adjourned for further consideration was put and resolved in the affirmative without division.

BILLS READ A FIRST TIME

On motions of Hon. G. H. ADAMS, seconded by Hon. Dr. H. G. H. CUMMINS, a Bill to amend

the Technical Assistance (Taxation Relief) Act, 1955, was read a first time.

REPRESENTATION OF THE PEOPLE BILL—C'td

Mr. DEPUTY SPEAKER: The first Order of the Day is to resume Committee on the Bill to consolidate the laws of this island relating to the Representation of the People.

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

Mr. CHAIRMAN: On the last occasion Clause 19 was being discussed.

Mr. F. L. WALCOTT: Mr. Chairman, could I have Clause 19 read? I do not have a copy of the Bill; I am trying to get one.

Mr. LEWIS: So far as my copy of the Bill is concerned, Clause 19 has two subclauses and it reads as follows:—

“(1) The Governor shall appoint for each Polling Station (a) a Presiding Officer who shall receive such remuneration as may be prescribed, and (b) such number of Poll Clerks as may be necessary.”

“(2) If any presiding officer dies or becomes incapable of performing his duties during the taking of the poll, the Poll Clerk shall forthwith assume the Office of Presiding Officer and may appoint some other person to act as Clerk.”

Mr. Chairman, I think that is the usual procedure; and I only hope that the people you appoint will do their business with integrity. All you. All you can do is to appoint them in good faith.

Hon. G. H. ADAMS: Mr. Chairman, with respect to what the honourable junior member for the City just said, I think it is my duty to state that it is absolutely untrue that I was ever in any Polling Station during the last bye-election in St. Lucy in a way I should not have been. I remember that on one occasion I took two or three people to a Polling Station, and I took pains on that occasion to ask the Policeman where the hundred-yard limit was. It is a fantastic fabrication to say that a person can walk in a place where a voter is making his mark. How can a fellow get in a Polling Booth unless he has a ballot paper? That is utterly a physical impossibility unless the Presiding Officer is blind or uncertain.

It is an offence to do so; and when somebody says that about me, any human being can thereafter walk inside the Registry and file a case against me, and I will be put to stand my trial at the Court of Grand Sessions. There is no time limit for an offence against the Queen. You can be at the stage where you are about to die and an indictment can be filed against you.

It is only fair to us so to say that you must assume that Presiding Officers will do their business with integrity. Because some youthful candidate for political honours, whether he succeeds or not gets fearful over something, must you assume that a Presiding Officer was not doing his business with integrity? How can one walk inside a Polling Booth where a man is making his mark? Look how fantastic that is. Although no other honourable member said it I still want to contradict it; you only have to see how untruthful that statement is.

I agree with the honourable senior member for the City when he said that in the heat of an election you can say any sort of thing. Personally, for twenty years I have been running for elections; but however much you may feel that you would like somebody else to be Presiding Officer, I cannot say that

I have ever come across any corrupt Presiding Officers; and I think that that is the experience of other honourable members.

I cannot say that I have seen in any election anything that you could say that is corruption on the part of the presiding officer.

5.05 p.m.

Mr. E. D. MOTTLEY: I did not intend, Mr. Chairman, to speak on this Section again.

Mr. CHAIRMAN: You will speak on the Section itself and nothing else; otherwise I am not going to entertain you.

Mr. E. D. MOTTLEY: Mr. Chairman, am I not a member of this House?

Mr. CHAIRMAN: I am speaking to the honourable junior member for the City. The Hon. Premier was accused of something by the honourable junior member for St. Lucy during the last meeting and I gave the honourable member the opportunity to explain himself. Therefore I am not going to entertain any argument on anything apart from the Clause itself with which we are now dealing.

Mr. E. D. MOTTLEY: Mr. Chairman, my colleague got up and raised a question on Clause 19 and the Hon. Premier got up and made an explanation in connection with that Clause for the benefit of the House. From my experience in running for elections, I say that I could not have gone into a booth.

Mr. CHAIRMAN: I am only saying to you for the second time this evening that I am not going to entertain your speaking on anything apart from the Clause now before the House.

Mr. E. D. MOTTLEY: Mr. Chairman, it looks to us that as soon as a member of the Opposition gets up to say anything, you say that you are not going to entertain this or that.

I have had a lot to do with elections and I have never had to have one single agent to watch a Presiding Officer on my behalf. The day that I cannot stand for election without having to pay an agent to watch a Presiding Officer, I am coming out of the House.

Now, it is unfortunate at this stage (and I think I am right in saying so) that at that St. Lucy bye-election the Government should have departed from their policy of appointing a planter as a Presiding Officer. It is unfortunate that the accusation in this respect should be levelled at some one being of another type, and not the planter type.

This Section is not a controversial one; the only one controversy that we have had is on the new Section.

The question that Clause 19 stand part of the Bill was put and agreed to without division.

Mr. LEWIS: Mr. Chairman, I am going to take the liberty to ask for a recommitment of Clause 8 for the purpose of amending something in Sub-clause 6 of Clause 8. I do not know if an amendment has been made but line three reads thus: The Governor shall have power, exercisable by Order which shall not come into force unless or until “it is approved by resolution of each House of the Legislature.”

That is an irregularity; that has caused trouble enough in here already; and I submit that it is wrong. It cannot be “each House of the Legislature” because in that case, it might mean independent resolutions. And the Other Place has no right to consider a Resolution taking money out of the Treasury until it has been passed by this House.

In the year 1949 shortly after the passing of the Civil Establishment Act, this question was raised, and I remember what Mr. Stewart Perowne the then Colonial Secretary had to say in regard to it. He

said that he had given his assurance that an order under the 1949 Act would not need independent resolutions. Normally, the constitutional practice is that a resolution comes to the House and the House asks the concurrence of the Other Place in it.

That 1949 Civil Establishment Act needs amending; because the first time that an Order made under that Act was put into operation the Resolution accompanying the Order stated that the House had asked the Other Place to concur in it. So far as is stated here in Sub-clause (6) of this clause, it means that this resolution (or whatever it may be) can be passed independently. The sub-clause says: "of each House of the Legislature." It does not refer to a Resolution of the Houses of the Legislature, or of both Houses of the Legislature. That is why I am asking that Clause 8 be recommitted.

I hope that one of these days I will be able to see an amendment introduced in connection with Civil Establishment Act. As it stands now, it gives the Other Place equal rights with this branch of the Legislature. If there are any Resolutions on today's Order Paper to which honourable members could refer, they would readily see what I mean. It has brought trouble before and I argue that it is wrong, because it is dealing with money coming out of the Treasury.

If the honourable senior member for St. Joseph would agree to the recommitment of Clause 8 whereby the words may be changed from: "each House of the Legislature," to: "both Houses of the Legislature," I am sure that it would be quite in order. The amended sub-clause would then read as follows: (6) "The Governor shall have power, exercisable by Order which shall not come into force unless or until it is approved by resolution of both Houses of the Legislature, to alter the interval between the qualifying date and the date of the publication of the registers of electors by changing either date, and every such Order may make such consequential provisions (including the modification of any enactment contained in this or any other Act) as may appear to the Governor to be necessary."

Hon. G. H. ADAMS: The honourable member who has just sat down raised that point some years ago when Mr. Whyatt was Attorney General. I referred the matter to him, and as far as I can remember, he said that it did not matter much. If the honourable member will wait, I shall try to get in touch with the present Attorney General and ask him his opinion.

Regulations have to be approved by both Houses. Suppose for argument sake that we made an amendment to some Regulation in here, I do not see how that would prevent the Other Place from making a similar amendment. I repeat that when I discussed the point with Mr. Whyatt we both agreed that it made no difference.

I will let the honourable member know what the Attorney General says about it. My only reason for suggesting to deal with it now is that I am not going to be able to remain in attendance at this meeting of the House very late tonight. I do not like the Other Place making such amendments.

On the motion of Hon. G. H. ADAMS, seconded by Hon. M. E. COX, Clauses 20 to 23 inclusive were called and passed.

5.15 p.m.

Clauses 24 to 26 inclusive were called and passed.

Clause 27 was called.

Hon. G. H. ADAMS: I beg to move that Clause 27 stand part of the Bill.

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

Mr. LEWIS: I see that in this Clause any person who contravenes any of the provisions is liable to a fine or a term of imprisonment; in another clause it is imprisonment. It is only when you are amending an Act that you get scared about these things although they may be in existence for years I suppose a fine or imprisonment would be quite alright.

I see that in the case of interfering with the ballot papers it is only a question of imprisonment and in another case it is only a question of a fine.

The question that Clause 27 stand part of the Bill was put and resolved in the affirmative without division.

Clause 28 was called.

Hon. G. H. ADAMS: I beg to move that Clause 28, stand part of the Bill.

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

Mr. F. L. WALCOTT: Clause 28 has no side note. However, on reading this Clause, I do not agree with it. It says this:

"No person shall furnish or supply any public address apparatus, loud speaker, bunting, ensign, banner, standard set of colours or any flag to any person with intent that it shall be carried, worn or used on any motor or other vehicle or otherwise as political propaganda on polling day, and no person shall with any such intent carry, wear or use on any motor or other vehicle any public address apparatus, loud-speaker, bunting, ensign, banner, standard or set of colours or flags on polling day."

Why is it that in Barbados you want to do this and in the United Kingdom today at an election, you will see any motorcar with a placard: "vote for Attlee", or "vote for Churchill". There is nothing corrupt about that. What is there to prevent anybody from putting on his motorcar: "vote for me"? I do not see that there should be any objection to that.

You cannot reduce an election to a Sunday School affair; I feel that there should be no objection to any man putting on his motor car "vote for me" or vote for the Party or candidate to which he belongs. That does not create a nuisance to the public like the use of a loud-speaker; it is the simple, ordinary, electioneering practice which obtains in all democratic countries of the world.

I beg to move that the words "ensign and banner" be deleted. It does strike me that during the last election in the United Kingdom you had 55 million people voting and in the U.K. there is better means of radio which you do not have in Barbados; while when you put a banner on your motorcar in Barbados with the words "vote for me" something is wrong with that.

There is another thing: If you look at subsection 2 you will see that you are interfering with the freedom of the individual. If you have a Party Badge it would be regarded as illegal to wear that Badge. How can you say that a man who has a Party Badge should not wear that Badge on the day of the election? Why should not anybody know that you are a member of a Party? Do you want to have something like a pantomime where people do not have to speak but do everything by action? Suppose the Barbados Workers' Union were running a candidate, what is to prevent me from wearing my Union Badge in my lapel? This is just like telling people who belong to Societies that if they wear the various ensigns they will show to what order they belong; you are reducing things to a farce; and the next thing is that you will be telling people that if one of the ensigns is a red tie you cannot wear it because people will see what you belong to.

It will come to this: that you will not be able to shake anybody's hand on Polling Day. On Polling Day you try to identify your members without hunting them down at the Polling Station. This is not East Africa, Tanganyika or any part of Africa where you see that the natives have not removed out of serfdom into civilization. If you make your election on such a basis, I do not see where a man should be denied wearing a Party badge or putting bunting on his motor-car telling people that you can vote for him.

Mr. VAUGHAN: You want to give every candidate as fair a chance on Election Day as possible. There are some candidates who do a hundred things and put more on their cars than other candidates. A candidate should have a fair chance of influencing voters; and there are those who can put on more labels than others. The purpose of this Clause is to prevent that and give every candidate the fairest chance at Elections. That is the only purpose in inserting this Clause.

5.25 p.m.

Mr. F. L. WALCOTT: I did not expect that he would agree with my proposition; he is like Daniel come to judgment. You did something last year and you saw the reason for changing it this year; you have to control your election expenses, therefore you cannot put on as many banners as you like; you cannot put 1,000 banners on cars because your election expenses are controlled.

The whole idea aback of controlling election expenses is to see that you do not have a greater opportunity than your opponent. Why are some people afraid of advertisement? What advantage do you have? Why after some people find out that they are losing out in a constituency, they jump in on another Party to try to get back in? Are you going to pass an election law to say that any man who criticise a Party should not be able to get in on that Party? What are you going to do? Let us face this thing boldly; let us see that this is something which is not necessary.

Why is it that on election day in the United Kingdom you can use a banner yet in Barbados you are restricted from using it? And there are richer men in the United Kingdom who run for election than there are in the West Indies. Any man would agree that you should control your election expense but why should you say that you cannot put something on your motor car to say "vote for me" or "vote for so and so." What is wrong about that? How can that be taken to mean that you are putting yourself at an undue advantage?

Hon. G. H. ADAMS: The honourable junior member for St. John is perfectly right in what he said. Of course, every layman cannot interpret the law. I say again, there is nothing to prevent a private person, if you cannot prove connection between him and the candidate, from plastering the parish with posters on election day. That is the answer of a lawyer and one which a layman may not accept.

Everybody knows the origin of emblems etc., it is true that it is not in the last Act, but if you look back in the previous Acts you will see the prohibition; because historically in those days, every man you saw with a blue rosette was for a particular candidate and those people who wore a red rosette were for another candidate; that was done because in a free fight you should know who was your opponent. Of course, it has not been found necessary to do so in Great Britain today, but that may be be-

cause the voters of today in Great Britain have a greater sense of responsibility.

I say, sir, that this is nothing new. It is true we did not put it in when we created Adult Suffrage; but I do remember from my previous reading that you will find this prohibition in the election law in Barbados.

You will find that the word "favour" is used. I repeat that originally it was done; not so much because of the spending of money, because in those days a man could afford to spend £1,000 on an electorate of 50 people. Originally, it was done for historical reasons: that you could identify a person not belonging to your party. I may say that there is no particular reason why you should put in something for intoxicating liquor, other than that it may lead to disorder and may lead to an election where people may be afraid to come out because of drunkards.

I may say that some may not have agreed with rum shops being closed on election day during the last election, but it is a fact that because they were closed we had a peaceful, quiet, Sunday School (if you will like to call it so) election, as far as I know in all the twelve constituencies. It is infinitely better to aim at that instead of possibly getting rough-house elections.

Mr. F. L. WALCOTT: Mr. Chairman, I have long passed the stage where references about your knowledge about the law could ever deter me from putting up an argument on something which is before the Chamber. That is part of Colonial existence where people like the Hon. Premier always use this kind of educational conceit in order to drown other people's reasoning.

The Hon. Premier is saying that this was going on for 300 years in Barbados. When we ran elections in Barbados previously, where was this question that you could not put a placard on your motor car? Look how many cars you used to see with cards "Vote for Adams". He says that for 300 years this prohibition has been going on in Barbados.

Hon. G. H. ADAMS: The honourable member has misquoted me. I never said anything like that, I said emblems were for historical reasons, because it savours of a means to identify people. The honourable member attempts to say that the law covers it; I say what is elementary. I do not blame anybody for not knowing it (and a lot of lawyers do not know it) but you can be punished if it can be proved that you have spent a lot of money.

It is not a question whether the Labour Party Newspaper or the Conservative Newspaper does this, that or the other; it is a question of what a candidate or an agent may say. I do not know if because Mr. So-and-So was friendly disposed towards me by his going through the parish and plastering it with posters for me, I cannot be guilty; it is not true to say that because somebody may do it without telling you, that you cannot be punished for not knowing. The two things are separate.

What I was saying is that that is the law as regards election expenses; and (2) it was the law as regard rosettes and all that sort of thing, which may lead to a free fight.

Mr. F. L. WALCOTT: If he were speaking to lawyers, what he said might have been understood. There are laymen here besides myself who have heard what he has said. His mere argument now on this particular aspect of the election can apply to anything.

If somebody is so kind to put motor cars at the disposal of people, that can happen; that is permissible. How do we know when some of us do not have friends willing to help us to run an election? Ac-

ording to his argument, you can have more organisers, more bribes, or more private parties before an election takes place; you cannot legislate for that.

Is it something wrong for a candidate to have written on his motor car words requesting people to vote for him? What is wrong in that? There is no undue advantage in that. What, for instance, could be wrong in a man wearing a badge like the one I am wearing now? I know people who wear badges and nobody objects to them. This is a piece of colonial legislation which suits Africa. There are other aspects of this Bill in which you will find inconsistencies. [Mr. E. D. MOTTLEY: If he is making a reference to the badge he is wearing, I suggest that he make it the property of the House!]

The question that Clause 28 stand part of the Bill was put and resolved in the affirmative without division.

Hon. G. H. ADAMS: Mr. Chairman, in reference to Clause 8 I have just received a message from the Attorney General in connection with the point in Sub-clause (6) raised by the hon. junior member for the City. The Attorney General says that he took it from the English Law. However, as the honourable member has asked that it be recommitted, I will agree.

Mr. LEWIS: Mr. Chairman, I beg to move that Clause 8 be recommitted.

Mr. E. D. MOTTLEY: I beg to second that.
The question was put and agreed to.

Mr. LEWIS: Mr. Chairman, I beg to move that in line 3 of Sub-clause 6 the words, "each House" be deleted therefrom and the words, "both Houses" be inserted therefor.

Mr. E. D. MOTTLEY: I beg to second that.

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

The question that Clause 8, as amended, stand part of the Bill was put and resolved in the affirmative without division.

Clause 29 was called Sub-clause (1) reads as follows:—

29. (1) 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:

Provided that a candidate shall not be liable nor shall his election be avoided for any illegal practice under this section committed by his agent other than his election be avoided for any illegal practice under this section committed by his agent other than his election agent unless —

- (a) it can be shown that the candidate or his election agent has authorised or consented to the committing of the illegal practice or has paid for the circulation of the false statement constituting the illegal practice; or
- (b) a court find and report that this election of the candidate was procured or materially assisted in consequence of the making or publishing of such false statements.

Sub-clause (3) reads as follows:

- (3) Any person who, before or during an election knowingly publishes a false statement of the withdrawal of a candidate at the election for the purpose of promoting or procuring the elections of another candidate shall be guilty of an illegal practice;

Provided that a candidate shall not be liable, nor shall his election be avoided, for any illegal practice under this sub-section committed by his agent other than his election agent.

Hon. G. H. ADAMS: Mr. Chairman, inasmuch as I understand the honourable senior member for the City to have said that the provisions of this Section are not wide enough, I suppose I should listen to his suggestions first. I beg to move that Clause 29 stand part.

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

Hon. G. H. ADAMS: This is the wording in the English Prevention of Corruption Acts: "Against the use of false statements". It is possible to read some of the cases, especially the first case that arose after the Act was passed. I think the Act was passed in 1894 or 1895 and about a month after, somebody made a statement of fact which was said to be a false statement about one of the candidates. The parties concerned filed an election petition and the Judge before whom the matter was heard was very careful to go thoroughly into what he thought was a false statement of fact. The interpretation is that the alleged statement must be a statement of fact and must be in relation to the conduct of the candidate.

But what I am suggesting (and it is the experience of all of us) is that it is possible not to say a word against a particular candidate in the parish and to attack every other candidate in that particular parish. In such circumstances, it is quite possible that the judges may hold that you are referring to the personal character of a candidate in his particular constituency.

The Attorney General has changed the phrase "of an election" to "any election" as honourable members will see in line 4 of this section. I think that that should be made much clearer. Let us suppose that there is an election in the City; for one reason or other, nobody attacks the senior member for the City, but every other person is attacked (and it may be considered that the honourable junior member for Christ Church is not a candidate) it is, therefore, concluded that they have broken the law.

I am going to ask leave to make an amendment. Incidentally, I take the opportunity of saying, (in spite of some of the sneers,) that I have looked up many cases and found that the definition is in relation as far as is practised in the English Statutes. In my old books on Barbados law the definition will also be found to be just as we have it today: "before or during an election." But in order to cover the point more fully, I will make the motion to have the section amended in this way:—

"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" (insert "in any constituency" between the words "candidate" and "at") make or publish any false statement of fact" . . . [Mr. E. D. MOTTLEY: Well the rest remains.] No, no; not quite. ". . . in relation to the personal character or conduct of any candidate . . ." (insert, "whether that candidate is a candidate for an election in the constituency in which the said false statement of fact is made or in some other constituency.")

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

The amended Clause 29 (1) 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 in any constituency at any election, make or publish any false statement of fact in relation to the personal character or conduct of any candidate whether that candidate is a candidate for an election in the constituency in which the said false statement of fact is made or in some other constituency."

It may be held that the two members for the City (or either member for the City who belongs to a Party) might not be attacked in a City election, but the vilest statements about their colleagues might be made in their constituency though their colleagues might be running in some other parish.
5.45 p.m.

Mr. LEWIS: With all due deference to the honourable member's attempt to enlarge on this Clause, perhaps he is narrowing it by using the word "constituency." As I read this Clause now, it is as right as it can be because it says "candidates at any election." I feel that if you bring in the word "constituency" you will narrow it down. I can quite see the honourable member's point but as I read this Clause it means a candidate at any election; therefore whenever you have an election in the island that election is referred to.

I am suggesting that if you have an election to fill a vacancy in Christ Church or in the City that is the election for that time; and if you are having a General Election, that is the election for that time. I warn the honourable member not to cut it down too narrow.

Mr. E. D. MOTTLEY: The Hon. Premier who thinks that when the layman fails to understand a legal definition or interpretation given by a legal man and continues to argue, will say that the layman wants to play lawyer. We are dealing with this section which refers to illegal practice and so on. If you turn to section 36, (2), that deals with political meetings; and I am asking the honourable member to say how this section would apply. This sub-section (2) says this:

"This section applies to a political meeting held in any constituency between the date of the issue of a writ for the return of a member or members for the constituency and the date at which a return to the writ is made."

It is either present or absent. According to section 29, you will let off a statement at some meeting which is not a statement of fact and you will be guilty of illegal practice; I want to know what is meant by the term "before or during an election." How can you reconcile section 29, with section 36? [Hon. G. H. ADAMS: It is a different time.] I do not understand what is meant by a false statement of fact; if it is a false statement then it is a false statement. I am 100% behind this section, because I believe a lot of people will not be able to keep their seats in this House, because they have not got the ability to attack a candidate without interfering with his personal character.

Hon. G. H. ADAMS: I take it that you are referring to the Chairman.

Mr. E. D. MOTTLEY: I am not referring to the Chairman because he has the ability to do things well. We were told that "during an election" might mean from now until 1956; if during that period a

false statement is made against a candidate he will be guilty of an offence.

I am confused over Clause 36; it says that it applies to a meeting held in any constituency between the date of the issue of the writ and the date of the returns of the writ. On the last occasion an interpretation was put on it by the Premier. I quite agree with the amendment but I want it made quite clear what is meant by the term "during an election"; there is nothing in the Interpretation Clause which tells you clearly enough what is an election.

It is a nice thing to tell of your research, but I want it made abundantly clear what is meant by the term "during an election". It is made perfectly clear as to breaking up meetings and so on; as soon as writs are issued you cannot do that, but should it not be made clear in section 29, what is an "election"? The honourable member says what is the practice in England but conditions are different here from those in England; and why should we put people to the disadvantage of having to go to a lawyer for an opinion.

I am quite capable of attacking a candidate without interfering with his personal character. I have discussed this matter with lawyers and many of them have disagreed that what is here can mean 3, 4, or 5 years. According to the Premier if you had an election in 1970 and something was said now about a person's character, the person making that statement would be guilty of an offence. I want this section to be made clear so that any Magistrate would be able to interpret it.

I can safely say I never had an agent but I do know that the average candidate without some experience must have some agent. Just as it is abundantly clear in 36 (2) why not make it clear in 32? 5.55 p.m.

Hon. G. H. ADAMS: I cannot put it any more simple than this. The hon. member is saying that there is a difference; there is a difference. Certain things are prohibited for one day; certain things are prohibited between the issuing of the writs until the date on which returns to them are made; and certain things are prohibited for an indefinite period.

Perhaps I may have given the impression on the last occasion that three, four or five years would be the normal thing, but I say again that you must examine the circumstances of each case. It may be very difficult to say of two people that the election for each of them began on the same day. Mr. "A" may say I am not interested in politics and as soon as a writ is issued he comes forward; therefore knowing that, he was not a candidate until everybody knew he was a candidate.

A case has to be examined on its merits. It can happen that a man loses an election, and the next day he starts sharing out half crowns for the next election; if you can prove that he was starting another election campaign from the morning after the last election, anything he does during that period can be taken against him. He is a candidate from that time.

Some judges say an impending election but they all hesitate to lay down the particular time. It may be from the time of the issuing of the writs until election if he intends to be a candidate, and starts committing illegal practices. It also has been said by some judges that just nursing a constituency does not make a man a candidate, but if you tell them you are running and you committed things which are looked on as corruption, all those things that you did from the time you were nursing the constituency would be taken into account. In short, some offences can only be committed on election day:

some between the issuing of writs and election, others may be committed for days, months, even years before the actual election.

Strictly speaking, the day on which a writ is carried out is election day, but for certain purposes it may go back to the day before; and that is why to catch people and to make it quite clear you get the phrase (I do not know if it is in our Act; it is in the English Act) "before, during and after election." If after you got in, and you shared away half-crowns though the election is over, you can still lose your seat.

I have heard it suggested that voters are told that it is wrong to pay you any money to get your vote but if I get in you can always come to me. Any other explanation which any hon. member wants me to make, he can tell me.

Mr. LEWIS: I will ask the hon. member to read the proviso at the top of the next page. It reads as follows:—

"Provided that a candidate shall not be liable nor shall his election be avoided for any illegal practice under this section committed by his agent other than his election be avoided for any illegal practice under this section committed by his agent other than his election agent unless—"

It does not make sense to me. If you also look at line 4 of sub-clause (3) of this same section (section 29) you will also see an error there. There is the word "elections" in place of the word "election".

Hon. G. H. ADAMS: With regard to the proviso, it is a jumble. It is bad typing of words; perhaps the typist must have repeated a line. It should read as follows:—

"Provided that a candidate shall not be liable nor shall his election be avoided for any illegal practice under this section committed by his agent other than his election agent unless—"

The words "election be avoided for any illegal practice under this section committed by his agent other than his" have been repeated. They should be cut out.

6.05 p.m.

The proviso goes on: "committed by his agent other than his election agent unless"—(a) "it can be shown" etc. Normally, the word "election" occurs twice: once immediately after the words "nor shall his." and immediately before the words "be avoided"; and again, immediately after the words, "than his", and immediately before the words, "agent unless"—.

It appears that the typist had occasion to turn her attention from the copy from which the typescript was being made, and upon returning to it her eyes caught the first "election" in line 2, thereby causing her to repeat the same words which hon. members see occurring in lines 4 and 5 in error. The word "unless" is the last word in the proviso. In Sub-section 3 the word "elections" occurring in line 4 is in the plural. The "s" should be cut off, thereby making the word singular—"election." The proviso of Sub-section (1) when corrected, reads as follows:

Provided that a candidate shall not be liable nor shall his election be avoided for any illegal practice under this section committed by his agent other than his election agent unless—

(a) it can be shown etc.

Mr. E. D. MOTTLEY: Mr. Chairman, that part of the Section which has been amended is unnecessary. Let us refer back to Section 29 (1). This sub-section says in effect that if you make certain false statements of fact in relation to the personal character or conduct of any candidate, it is an illegal

practice; and the proviso says: "provided that the candidate shall not be liable"—

Hon. G. H. ADAMS: That is where the person made the statement and thought that it was true.

Mr. E. D. MOTTLEY: Yes; I know that; but I am asking you to refer to Part V, Section 58. It says: "A person guilty of an illegal practice shall be liable on conviction by a court of summary jurisdiction, to a fine not exceeding five hundred dollars, and in a prosecution for an illegal practice it shall be sufficient to allege that the person was guilty of an illegal practice."

Then, consider Section 59 and Section 60, Sub-sections (1) and (3), and also Sections 61 and 62. It will be noticed that the only instance in which a candidate forfeits his seat is given under the provisions of Section 62 [A VOICE: That has nothing to do with the illegal practices.] Let us look at Clause 62; Mr. Chairman, it says this:—

"Every person who is convicted of bribery, treating or undue influence, shall (in addition to any other punishment) be incapable during a period of five years from the date of his conviction—

(a) of being registered as a voter or voting at any election of a member or members of the General Assembly;"

Hon. G. H. ADAMS: I do not agree with the hon. member. Any illegal practice debar you from being a member for five years.

Mr. E. D. MOTTLEY: I am quoting again: "register of voting" this is dealing with a specific factor in Clause 62. Then it goes on to tell you that as far as an illegal practice is concerned, you are only debarred from voting if you are "convicted of bribery, treating or undue influence." I can quite see that because a person making a statement which is not a statement of fact might never be a candidate; and therefore it provides for a person who is not a candidate a penalty of \$500 for any contravention of this law. [A VOICE: And if he cannot pay?] Some persons might be willing to pay \$500, but the matter is not fully put in this Section; therefore again I say I should like to have it made clear to us.

In my opinion in Clause 29 it is clear that if a person makes an illegal statement against the personal character or conduct of a candidate he may or he may not be a candidate. Now let us consider part 5 Section 58.

"A person guilty of an illegal practice etc." He will have to pay \$500 and he cannot register; that is clear. [A VOICE: For a period of five years from the date of conviction.] From my impression of Clause 9 sub-clause (1) I would say that you must be convicted of bribery, treating or undue influence. In other words, treating bribery and undue influence are considered to be more serious offences than the making of a false statement of fact against the personal character and conduct of a candidate.

I feel, and I am sure the Hon. Premier would be under the same impression, that that would debar you in Jamaica and Trinidad; I would like the Hon. Premier to explain that for me. If it is fully thrashed out, when we come to the other sections later on to-day I think it should be plain straight sailing.

When you consider the section for which the hon member has provided an amendment and then read in part five Clause 62 paragraphs (a) and (b), you will find that his amendment need not apply. Again I say that I should like the Hon. Premier to explain it for us because, we on this side of the Table are greatly worried about it.

6.15 p.m.

Hon. G. H. ADAMS: Down to Section 61 the offences were included; down to that Section you said that certain things were election offences and in Section 62 you just repeated it. In England corruption comes under a special Act; we have a Prevention of Corruption Act but if the honourable member will look carefully at the Sections preceding Section 61 he will not find anything about corruption.

Mr. E. D. MOTTLEY: What I want to know is this; would a candidate who is guilty of illegal practice forfeit his seat in the House of Assembly? If he is convicted of illegal practice after he is elected, a practice which is separate and distinct from bribery or undue influence, does he forfeit his seat?

Hon. G. H. ADAMS: Section 61 says that a person who is convicted of an illegal practice cannot be registered as an elector, or he cannot vote at any election for a period of five years from the date of the conviction. You pick out the three most serious offences, bribery, corruption and undue influence, and say in addition to any other punishment you will lose your seat for five years. You cannot be registered as a voter and you cannot take your seat in the General Assembly.

Mr. E. D. MOTTLEY: If a successful candidate is convicted under Section 29, is the penalty the same as it is if he is convicted as a candidate under Section 62, paragraphs (a) and (b)? Does he lose his seat for making a false statement of fact?

Hon. G. H. ADAMS: If the honourable member wants it so, I will put it in when we get to Section 62.

Mr. E. D. MOTTLEY: That is exactly what I want.

The question that Clause 29 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 30 was called.

Hon. G. H. ADAMS: I beg to move that Clause 30 stand part of the Bill.

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

Mr. LEWIS: I am going to ask a question. I do not know if this is the time to ask it, but can a candidate find out at 4 o'clock in the afternoon if 200 people were in the polling station or not?

Hon. G. H. ADAMS: I have voted at two elections in England. When you went into the room there were two little boys sitting down and asking you your name. There was a policeman there also; you also had the Ballot Act which says that you cannot ascertain who has voted. I suppose those two little boys would report to their respective parties afterwards; but if they were to go telling a candidate who has voted he could by subtraction tell who has not voted as yet.

I presume that they could discover for the purposes of Party record that certain people have voted; but they could not pass on the information to the candidate or his agent during the period of the election. In a small community like Barbados, in St. John for instance, every candidate must know every fisherman at Martin Bay; if the boats do not come in until 3 o'clock you know that at 2 o'clock the fishermen have not voted yet.

I think in actual fact anybody who can be proved to have made a note of the people who have come in and voted and pass on that information outside in order that by simple subtraction you would know for whom to vote, has committed an offence. If he takes the names of people who walk in he has not committed any offence; but it is reasonable

to think that people who go into the polling station would vote.

The question that Clause 30 stand part of the Bill was put and resolved in the affirmative without division.

Clause 31 was called and passed.

Clause 32 was called.

Hon. G. H. ADAMS: I beg to move that Clause 32 stand part of the Bill.

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

Mr. F. L. WALCOTT: Is the Government really serious about this Clause? Are you really suggesting that at a public meeting it is something wrong to have a band of music? What is there immoral about that?

If you are holding a public meeting you want to let people in the district know you are keeping a public meeting; it is a cultural activity. The same apparatus will have all the amplifiers with all the calypsoes and all the vulgar things playing on it; and are you going to say you cannot have a loud-speaker and you have to use what God has provided you with?

6.25 p.m.

You are saying that you cannot have a band at elections. What is wrong in having somebody to come along and play in a band for you? What is going wrong with Barbados? Is somebody afraid of using his own ingenuity in appealing to the populace? If you can appeal to people they will attend. Why should Socialists be afraid of meeting people in this way? I see no reason why you should be afraid. I say to you: never be afraid of the people; if they are for you, they are going to vote for you if the other side has fifty bands. If you are afraid of the people and the other side has a loud-speaker, you will have to get three. You should not be afraid of the people. So far as I am concerned, I can go through this election or any election without a band.

You have people in your own constituency who would collect money from other people and they will come back and tell you and pledge that they are going to vote for you. People like you do not have to be afraid, because the same crowd will come back and tell you what happened. You are so sure; yet you are afraid of these things; why should you say that you cannot have a band at election? What is wrong with a Steel Band playing for you or for anybody else prior to an election?

Let us say that you are going to hold a meeting at Bawdens where the people have no light and you carry a little light in the form of a band to lighten their hearts; what is wrong with that? You are only letting the people in the district know that you are keeping a meeting. Is anything wrong with that? I do not see anything wrong. Will the electorate be corrupted by your carrying a band there? I do not see anything wrong with your using a little music.

Mr. LEWIS: If the honourable member makes an amendment, perhaps I will support it. As far as a band at meetings during an election is concerned, I do not think it will cause any undue annoyance. Of course, honourable members know that I am not in a position to hire a band or anything like that. As an honourable member has said, you cannot play a band from the commencement to the end of a meeting.

Mr. E. D. MOTTLEY: Now, Sir, Section 32, (1) reads as follows:—

“No person shall, for the purpose of promoting or procuring the election of any candidate, hire or make use of any band of music.”

All through this Bill I have to ask what is meant by "election". I want this thing clarified. If you look at Section 36, which refer to disturbances at election meetings you will see the following as sub-clause 2:—

"This section applies to a political meeting held in any constituency between the date of an issue of a writ for the return of a member or members for the constituency and the date at which the return to the writ is made."

I have been in election campaigns for a long time, therefore, I am asking the Hon. Premier not to put the coming generation at such a disadvantage by not clarifying the word "election" in this Section. Let us say that I am standing for election which would be sometime in December and I am starting my campaign in August. Bear in mind, I am using myself as an example, but I am talking for the benefit of the coming generation.

I start off my campaign with a band of music to bring around people to my meeting. What I am saying is this: for the purpose of Section 29 which we have passed we accept the interpretation of election with the provisos thereto. If you turn forward to Section 36, as I have already pointed out, you will see that it says the time to which the Section applies. Now you are dealing with the prohibition of employment of bands. Would you tell us the interpretation which this would mean?

I am going to show you something further with respect to this Section. Sub-clause 2, says:—

"No person shall play in any band of music at any meeting or in any procession held for the purpose of promoting or procuring the election of any candidate."

This is not an illegal practice, yet you are saying in sub-clause (3):

"Any person who contravenes any of the provisions of this Section shall be liable, on conviction of a court of summary jurisdiction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months."

All the illegal practices are set out in the other part. This is not an illegal practice. I want to know when it is an election.

6.35 p.m.

Hon. G. H. ADAMS: Mr. Chairman, sub-section 2 of this Section covers the point. In England it is worded slightly different. It says: "No payment shall be made"; sub-section 1 of Section 32 of this Bill says "Nobody . . . shall hire"; whenever you hold a meeting for the purpose of getting a man in the House and you hire even a flute player, it will be considered as a band of music; and will therefore be a contravention of the provisions of this Section. Playing a gramophone or a piano is not a band of music. [A VOICE: A record is not a band of music.] [Mr. E. D. MOTTLEY: Go ahead.] Even a fool would know what a band of music is. The honourable junior member for the City practically answered that.

You must do everything possible to give everybody an even chance of peaceful persuasion in their efforts to get a seat in the General Assembly. You must not give the rich an unfair advantage. The whole object of the provisions of Section 32 is to prevent the dice from being loaded against poor people or to prevent the dice being loaded against favoured people.

Mr. E. D. MOTTLEY and Mr. F. L. WALCOTT rose simultaneously to speak while the Hon. G. H. ADAMS was still speaking.

Mr. CHAIRMAN: There are three honourable members standing. Will all three please sit? [Mr.

F. L. WALCOTT: That could not be fair. You ask us to sit and then you will see somebody else get up.]

Hon. G. H. ADAMS: Mr. Chairman, which ever you call. Now, I am merely pointing out that we did not go now as far as the English law; because—

Mr. E. D. MOTTLEY and Mr. F. L. WALCOTT rose simultaneously to speak.

Mr. E. D. MOTTLEY: Mr. Chairman—

Mr. CHAIRMAN: Will both honourable members sit?

Mr. F. L. WALCOTT: Mr. Chairman, I—

Mr. CHAIRMAN: Before I say what I intend to say you rise.

Mr. F. L. WALCOTT: Mr. Chairman, am I not a member of this House?

Mr. CHAIRMAN: Yes, but you must be called upon. The honourable junior member for St. Peter may now speak.

Mr. F. L. WALCOTT: Mr. Chairman, Section 22 deals not only with hiring a band; it also provides against persons playing in a band. What we are saying is this: why make a distinction as to what is a band? Let us throw this idea out of Barbados once and for all. I am referring to the idea that lawyers think that they are the only people who have any sense.

If a candidate should play gramophone records at a meeting of his I do not see how that could be regarded as a band; but when a band is there in person that is a different thing; that in my opinion would be an offence. If the hon. member wishes to suggest that in that case there is an unfair advantage, let us go into it now and it will be found where the unfair advantages are.

Are you going to control the loud speakers that you are going to allow candidates to use? Are you suggesting also that if at any meeting a man should have a good loud-speaker apparatus he has an advantage over his opponent; or are you suggesting that a man can go on the rostrum and speak as I am speaking now, without any aids. It is a matter of organisation and technique. If people happen to have an abundant technique or abundance of organising ability you cannot blame them for wishing to make use of it. Some of us have technique and some of do not have it. Some of us have a technique for destroying.

What is wrong with having music at a meeting? I would agree with you if you said there should be no music on the day of the elections or on nomination day; but what is wrong with having music say, five or six months before an election. Suppose I should go into St. Andrew and organise a meeting what is wrong with my carrying along some records to help me in that meeting? What is wrong with that? What unfair advantage do I have in doing such a thing. There are some people who are lovely singers; who could say that if you obtained the services of some good singer at a meeting that that would be an unfair advantage? In my opinion this is a means of thwarting organisation.

When you talk about corruption, what is greater corruption than anybody taking someone behind closed doors and giving them money? What is the use of saying that there is a comparison between that and paying money to people to play a band of music at a meeting. Why not put that in the Bill too. If you do not have motor cars then what do you want money to do? To bribe people? You cannot use a band in a meeting but you can find \$10,000 to bribe. [A VOICE: Bribe who?] I am very glad to note that some of these things are in this Bill; because you will soon very well know how money is being spent for election purposes.

Mr. VAUGHAN: Mr. Chairman, I cannot appreciate the very rare and absurd remarks of the hon. junior member for St. Peter. The Clause says "a band of music". It does not say that you cannot hear anybody singing. You can have music at an election meeting; but the Act prohibits a band for the specific reason that a band can break up another candidate's meeting. For instance one candidate may be holding a meeting at a certain place; a band may approach that place thereby causing three-quarters of the people in attendance at this particular candidate's meeting to leave and follow that band. [Mr. CRAWFORD: That is not the reason here.]

6.45 p.m.

There is a reason behind everything; there could not be any other reason for prohibiting a band. The whole essence of an election is that it is to be one of equality. You do not want to cause endless disturbance to other candidates; you want an election to pass off as fairly to each candidate as possible; and you can only do that if you prohibit disorder. You have to pass orders so as to give the maximum chance so far as fairness is concerned to every candidate.

I have seen the Steel Band at election time pass through a meeting which is being held; and with all the jumping up and playing more than one half of the people left the meeting. That is unfair and if the law prohibits that, it is reasonable. You can have singing or singers on your platform, that is not prohibited. You cannot interpret a Choir as a band of music; only people like the hon. member who has just sat down, could interpret it in that way. You can have music from a loud-speaker; [Mr. F. L. WALCOTT: What is the difference?] The difference is that a loud-speaker cannot do what a Steel Band can do. You do not want to put any unfair disadvantage to any candidate.

Mr. E. D. MOTTLEY: What the hon. member who has just sat down has spoken of is provided for in Clause 36. I am not worried about the band: I want the Premier to say exactly what I want him to answer. I said that in the absence of anything in the Interpretation Clause as to what an election is, you have three different definitions now. I am asking when does the election apply, because this Section refers to the promoting or procuring the election of any candidate. It is a very good thing when you are in the Government to say that this is going to be so; but you are not always going to be in here and we want things made clear for the benefit of the public. This Clause says:—

"No person shall, for the purpose of promoting or procuring the election of any candidate, hire or make use of any band of music."

The argument which the hon. member has used will never stop that under this Section; if this means having a band of music between the issuing of the Writs and the return of the Writs, I entirely agree with this Section; but if a man signified his intention of coming forward as a candidate and goes to St. Philip, and if a Steel Band passed through St. Philip six months before — Let me put it in this way: here you have the Labour Party in power; your Party goes into St. George or St. Andrew and calls us all sorts of things; the election is not until December, 1956, but for the purposes of securing the election of your members you have a Steel Band all over St. Andrew or St. George and you bring people down to St. Simons for the purpose of hearing your election platform; are you guilty of an offence? You are putting this in the Act now; you will go out and hold a meeting; some of your followers get together because they like the Labour Party they will bring

down people to hear what you are going to say; is that for the purposes of procuring the election of a candidate? There are political enthusiasts connected with your Party and they can get together with a band and that applies a tremendous lot to your Party.

Smile as you may, call me a fool or an upstart if you like; I know that the day will come when the judge will interpret what you say as being wrong. You can make the law but you cannot tell a magistrate or a judge how to interpret. If lovers of a Labour Party get themselves together and hold a meeting or tell people that there is a meeting in St. Andrew and they do it freely, is that not for the purpose of procuring the election of a candidate? If you are saying this in relation to or during the issuing of the Writs, that is all well and good. I want to say that there are a tremendous lot of things which work well in England but they will not work well in Barbados.

6.55 p.m.

Show me the candidate who will be running an election four or five weeks before. I can tell you that there are horses in the paddock now training for the next election in 1956; they had anticipated that when the Hon. Premier came back from America that there would have been a snap election. However, I am quite serious about this. I agree with the argument that between the issuing of the writs and the date on which returns are to be made there should be none of this annoyance with bands; but what I am asking (and for the benefit of the community) is that you say when there is an election.

You get youngsters who are not working, coming as far as from St. Peter and begging you for steel cans to cut off the tops and make ping-pongs from them; and if such youngsters from St. Peter hear that there is a political meeting at Diamond Corner they will turn out with their ping-pongs. According to this, if they play their instruments they will be liable to a fine of \$500 or the alternative of three months imprisonment.

Let us apply our commonsense to this thing. I agree that on the day of election you should cut out these bands. Let me ask the Hon. Premier this: suppose the Labour Party hold a meeting in St. James next week and announce that they will be running Mr. Searles as their candidate for that parish, and you get fishermen knowing of it, and wanting to bring out a crowd they turn out with their Steel Band; is that an offence? According to this it would be an offence. I would really like the Hon. Premier to tell me what is the time limit to this.

Mr. F. L. WALCOTT: We all would agree to it if there is a time limit. If I were a hypocrite I would get here and make speeches which would hurt my own conscience, but I am not a hypocrite. Now, this means of disturbance has been covered already by a previous section. What the hon. junior member for St. John means is that by the playing of a band you might be able to draw people away from a meeting which your opponent is holding, or you may do so to disturb his meeting. If you are going to all this length why not make it an offence for a candidate to appear at a meeting which is being held by his opponent?

I am saying that you can pull away crowds from a meeting of your opponent without your saying a word, you can do so by merely putting in your appearance. It is a fact that sometimes people get a little overdose of conceit and forget where they started from. In December, 1948, the Hon. Premier came back to this island from a United Nations Conference and those of us of the Labour Party who were here, organised a demonstration for him from the Seawall Airport to Queens Park and he was the cen-

tral figure. That will be illegal now. Bear in mind that demonstration took place on the 6th December and the election was on the 8th December. Do you know that that would be illegal now? The same sort of thing can happen again. One of your people is away, he is coming back a day or two before an election and you carry a band to meet him.

Let me say that we live in a tropical country and we have to work with the people with whom we live. In England when a man wants a drink he takes a cup of tea; we like some rum sometimes. As a matter of fact; some doctors say rum is food.

People live in far villages and you want to bring them out to your meetings, and in order to do so you hire a band. What is wrong with that? As I have said, in 1948, when the Hon. Premier came back here there was a demonstration; what is wrong with that? [A VOICE: That is a different thing.] Of course it is a different thing because he knew nothing about it. There are people who never organised anything.

Mr. Chairman, I am saying that it is you and some of the others like you who will feel the pinch of the shoe if this Section remains as it is. It is when people show some liking for you that they turn out their little flute to play a tune for you.

It is the biggest piece of stupidity when you say that the playing of a band will give an unfair advantage over your opponent. You cannot disturb a meeting by a band or otherwise. What you have in another clause is for the purpose of preventing people from disturbing your meeting.

7.05 p.m.

Mr. LEWIS: Mr. Chairman, this Clause does not hinge on the word "election"; to me it hinges on the word "candidate". The question is: when is a candidate a candidate? So far as I can see you may be a candidate after you have paid a deposit; and as I see it sub-clause (1) bears no reference to the candidate at all. When you read sub-clause (1) you get the impression more or less that somebody is doing something for somebody else. When I see the words in Sub-clause (1): "Any person", certainly "any person" in that case could not mean a candidate. I see also that Sub-clause (1) of Clause 32 prevents any person from hiring a band.

Sir, I have not studied this sufficiently to be able to make any amendment. If some hon. members agree that there should be a specific period during which a man should be considered as being a candidate, I would invite him to say when is a candidate a candidate.

Hon. G. H. ADAMS: A man is a potential candidate from the day he was born. What I am going to say now I have said over and over again on Tuesday last until I was tired: this Section is strongly in force in England; it says (among other things): "band of music, loud-speaker apparatus, flags banners" etc; and if any such things are done, it amounts to an offence.

Scores of cases have been argued since that Act was passed in England. The hon. senior member for the City wants to know how a magistrate will interpret it; but can we know how a magistrate will interpret it?

I will say again: the word "election" means the process of election. Certain offences take place on the day of an election. This offence will be taking place whether you hold a meeting or not. [Mr. F. L. WALCOTT: Dr. Wilson is a candidate in St. John now.] My knowledge of history is not up-to-date, but somebody will tell us when the first English Parliament started. I think it was 1066 or thereabout.

You cannot attempt to draft original legislation without knowing something of the inter-

pretation of the language you may use; because the chances are that you may make a mistake. All sorts of offences have been committed in the old House of Commons. The law-courts have interpreted line after line of election law and it is very difficult to have a dispute in election law; you might have a dispute of fact.

As far as this section is concerned you do not have to define "candidate". If he changes his mind after he has committed the offence — [Mr. E. D. MOTTLEY: What about election time?] I have already said it is impossible to lay down any hard and fast rule. [Mr. E. D. MOTTLEY: But you have already laid down the penalty for breaking up meetings.] You can break up meetings and you can be prosecuted for other things too. [Mr. E. D. MOTTLEY: Clause 36.] Clause 36 fixes the period only from the issue of the writs; but you can break up an election meeting before the issue of the writs. [A VOICE: Not necessarily.]

Mr. E. D. MOTTLEY: I want this doubtful question cleared up. The hon. member has quoted Sub-section (2) of Section 36 which says: "This section applies to a political meeting held in any constituency between the date of the issue of a writ for the return of a member or members for the constituency and the date at which a return to the writ is made." [A VOICE: For that offence, but not for the whole election.] Are you saying then that Section 38 is similar to Section 29? Sub-section (2) of Section 32 not only deals with a candidate, but also with persons playing in a band. They will have to pay \$100 for any contravention. Is that fair?

Let us suppose that I am a candidate for the 1955 Elections. Three days after the elections I say to someone having a band: "I have failed at the last election, but I am going to run for 1961 Elections;" thereupon the man sets off with his band and the next two weeks I die; the result is that I have not been a candidate for the elections, yet he and his band are convicted. That is not fair.

7.15 p.m.

It does not sound right; if you are saying "I am going to do what happens in England" it is just not right. I suggest to the Hon. Premier that he postpone the further consideration of this Clause. If I am standing for election and thirty people walk up with a Band, the police prosecute, they are convicted, and I am no longer a candidate. I say again that the further consideration of this Clause should be postponed and let them bring forward something which is more sensible. This does not make sense. On the day of the election you can stop the music; stop all the nonsense.

If the interpretation is what the Hon. Premier says it is, you have to take it. I am accepting what the Hon. Premier is saying that this time applies to any time before an election; it might be five years before, but this is not right. I suggest that we face facts locally and see how this Clause applies. I again suggest to the Premier that he postpone the further consideration of this Clause.

Mr. F. L. WALCOTT: If you look at Section 37 you will see that that Section deals with the question of giving notice of the holding of meetings during election time. You cannot tell a man five years before an election that you are going to hold a meeting; this is not legal phraseology. What are you spending all this money on education for? To send out dunces? This Section says:—

"No person shall, for the purpose of promoting or procuring the election of any candidate, hire or make use of any band of music."

This is nothing to do with any time but election time; as long as you are a candidate over 21 years of age and you are going to run for election in 1999—This clause does not put any time limit to keeping a band. Do you realise that under the law the Labour Party, for instance, should not carry a meeting anywhere because they are procuring a candidate. Under Clause 37 you have to go to a Police Station and give three hours' notice that you are going to hold a meeting.

You really have to wonder if you can keep a dance under your patronage during an election, because that may be taken as a means of influencing your chances at the election; as the hon. senior member for the City would say, the spondulicks may be working during intermission!

Is this going to mean something in perpetuity? The meetings deal with a period; you are not a candidate by nomination, you are a candidate before you are nominated and when you are nominated you are a nominated candidate. Nomination only shows how you can be elected; candidature only means that you are a candidate for the House of Assembly; and when a man says that he is running for a seat in the House of Assembly five, three, two years or one year before, whenever this is passed it will apply to him from the time he holds a meeting.

Hon. G. H. ADAMS: In the first place obviously a man cannot be a candidate unless he declares himself as a candidate. I do not quite see the reason for the warmth of the remark of the hon. senior member for the City; when a man commits an offence and dies after does it make the offence any less? How could it be said that the offence was not committed? I do not see any difficulty here; we have passed this four years ago and what has happened since that would cause us to change it? We are merely reproducing what we passed four years ago.

Those who want this Section changed should be able to say "Look at the inconvenience or disturbance it has caused!" The hon. junior member for St. John using the intelligence which God has given him and not beclouded by other people, has put the position correctly.

7.25 p.m.

Mr. BRANCKER: Mr. Chairman, even although we have on the Statute Book now a section along similar lines that is proposed in this Bill, yet coming before us now in connection with this Bill, I see no reason why we should not give it our close attention. The mere fact that we passed a similar thing some-time ago does not mean that we are justified in passing it now; far from it.

Since we have had our interest in music kindled by the Trinidad Steel Band and you have people in this country going around with steel instruments and guitars, I think there is no longer any justification for maintaining this clause as it appears in this Bill; and that is why I think we might make a change. I agree that there should be a limitation to this, but I gather from the hon. senior member for St. Joseph that it is going to be wider than it should be. As the hon. junior member for St. Peter pointed out, it might affect somebody coming forward in 1999. If there were a limitation period set out in the Clause, say from Nomination Day, I think that would be quite reasonable, because it would ensure the orderliness of an election.

Mr. Chairman, even if I overlooked something four years ago, obviously it is time if I amend it now. There is greater indulgence in the love of music and in the Steel Band to-day than it was four years ago. In so far as I am concerned, I cannot say off hand if there is any recent law on the point that

two or three persons constitute a band. Why could not there be a band of two or three people going around and playing for you? In the absence of any recent case on the point as to whether two or twelve people constitute a band, I would say offhand that two or three people would constitute a band. That is why I say because we passed a similar section to this before, in the light of our experience over the past four years, I see no reason why we should stultify the ambitions and the aspirations of those with a love of music, or those who had been affected by the dulcet tones of the Steel Bands. Why should we deny and restrict them?

Let it not be forgotten that when we pass this section a second time, obviously, it would be a matter for the authorities to look up and take notice of it although they might not have taken notice of it on a former occasion. You are saying now that no band shall play during an election, and the authorities and the police may say that when a similar section was passed the first time it was an oversight, but now that you have passed it a second time they will be justified in coming to the conclusion that you take a serious view about it; therefore they would have to take action on it.

Another thing which you have to consider is the type of person who will be called upon to pay this fine. You are making the penalty in this case a fine not exceeding \$200 or imprisonment not exceeding three months. Of course, that means you can be fined a dollar or be imprisoned for one week; but when you put the fine at such high figure as \$200 you make it a serious offence of the law and you therefore put it in a higher category.

I propose that we shall limit this by the inclusion of an amendment. I therefore beg to move the insertion of the following amendment at the end of paragraph 3:—

"Provision of this section shall only apply to read between Nomination Day and Polling Day, both days inclusive."

Mr. VAUGHAN: Despite the blast from the hon. junior member for St. Peter and the attempted calm judicious approach by the hon. senior member for Lucy, I am going to emphasise that if these two clauses are altered the disturbances that will be made permissible will make chaos of an election. Without these two clauses a band can come next door to your meeting; and regardless of what you have to say, it will completely disturb the meeting. Some hon. members say that protection from that is provided for under Section 36; it does not appear so to me.

7.35 p.m.

There is no ambiguity in this clause for me. The honourable member does not have a logical or scientific mind. This is plain unbiased language; I will quote it. 32 (1): "No person shall for the purpose of promoting or procuring the election of any candidate hire or make use of any band of music."

It does not mean that if I am keeping a meeting I am not to have a band of music on my platform; that section is put there to prevent any of my opponents from being able to bring a band of music to completely wreck the possibilities of my meeting. I defy any honourable member of this House to say that that cannot happen. If this clause does not safeguard them many candidates will face chaos in their appeal to the electorate.

Sub-section (2) of the same section says: "No person shall play in any band of music". That applies to the players; and the penalty for contravention of any of the provisions of section 32 is \$200 or imprisonment. It is illegal to have a band in

that case. You must have a penalty for the legal act and that is the penalty for those who take part in the playing. Section 36 does not operate against the hire or use of a band or against persons playing in a band; I am convinced of that. Language has no terrors for me.

Mr. F. L. WALCOTT: Mr. Chairman, we know that some people have a scientific mind; but I would never like to have a scientific mind like the last honourable member, because the day I have the type of scientific mind that he has I would rather be dead. [Mr. VAUGHAN: A nonsensical abstract, that is what he is.] If we were in Germany before the Nazi rule such persons could not sit in certain places because they would be outlawed. When these sort of trifles are encountered and some people try to be naive, I am going to let them know exactly how they stand in the public eye.

This section implies individual action; that is, that any band which goes and disturbs another man's meeting each person can be charged individually. Is a band something to prosecute? You have to prosecute someone. [Asides].

Mr. CHAIRMAN: I am asking the honourable junior member for St. John to keep quiet.

Mr. F. L. WALCOTT: The learned honourable member said that if a band is taken along in support of your meeting, that it is an illegal act. This Section does not say that you have got to disturb it by a flute. [A VOICE: By a comb?] What we suggest, Mr. Chairman, is this: you should not have a band during the time when you would disturb that candidate's meeting.

When the Representation of the People (Miscellaneous Provisions) Act, 1951 was passed, it was passed at a time when the General Elections were drawing near. Hon. members in this House did not worry about the clauses then because it was considered that we wanted to get the Bill through. But the Bill was passed precisely on the basis that any difficulties or causes for objection would be dealt with later. What we are saying today is this: we see no harm in being able to make use of a band five or six months before the election.

Arguing on the hypothesis that the election is going to be in 1956, what is wrong with anyone saying that he is going to be a candidate in 1956? Would he be doing any harm if he said he is going to hire a band and run for elections? You said you are going to allow us to use the elementary schools; are you suggesting that you should not have a band in that case on the grounds that it would interfere with another candidate?

Now, let us for argument sake, say this: the honourable junior member for St. John is holding a meeting in St. John and I am holding a meeting in St. George; but he is afraid that I am going to take up a band and ride up to St. John in order to disturb his meeting. He says that the other clause (viz. clause 36) does not apply; but I am saying that it *does* apply to a band.

Mr. GODDARD: Mr. Chairman, if the purpose of clause 32 is to prevent bands from disturbing the peace at another meeting it should relate to the same period of time as clause 36 where an individual is involved. Why should an individual be only exempted from two weeks before issuing the writs; or from the time the writs are issued until the time of the nomination, whereas bands will have a longer latitude as at any other time during the year.

We are conscious of what is happening in Jamaica. It may apply now much more vigorously than it did in the last election.

Last time we took these things very fast in our stride. As I said before, what is the purpose of clause 32? It is to prevent a band from disturbing another person's meeting.
7.45 p.m.

Why should that not apply to the same period of time as in Clause 36? There an individual is precluded from disturbing any person's meeting from the date of the issue of the writ and the return of the writ. I think that that would meet the criticism of the Committee and it would be a very wise thing to do indeed.

If the honourable senior member for St. Lucy will amend his motion to apply to the period from the issuing of the writ until the return of the writ I would agree with that. I am suggesting that this amendment should apply as from the issuing of the writ which is an earlier period than Nomination Day, as moved by the honourable senior member for St. Lucy. I repeat that the period should be the same as in Clause 36.

Mr. BRANCKER: I accept that amendment.

The question that the words proposed to be inserted be inserted was put and resolved in the negative, a division being taken as follows:—

Ayes: Messrs. F. L. WALCOTT, BRANCKER, GODDARD and LEWIS—(4).

Noes: Hon. G. H. ADAMS, Hon. M. E. Cox, Hon. C. E. TALMA Mrs. BOURNE, Messrs. HOLDER, BRYAN, Hon. Dr. H. G. CUMMINS, Messrs. MILLER, and J. C. MOTTLEY—(10).

The question that Clause 32 stand part of the Bill was put and resolved in the affirmative without division.

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

Mr. BRYAN: I beg to second that.

The motion was put and agreed to.

The CHAIRMAN reported to Mr. DEPUTY SPEAKER, who took the Chair and reported accordingly.

ADJOURNMENT

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

Mr. BRYAN: I beg to second that.

The question that this House do now adjourn for three quarters of an hour was put and resolved in the affirmative and Mr. DEPUTY SPEAKER adjourned the House accordingly.

7.55 p.m.

On re-assembling:

PETITION

Mr. E. D. MOTTLEY: Mr. Speaker, I am asking leave to present a Petition on behalf of the Right Reverend G. L. G. Mandeville, Lord Bishop of Barbados, the Very Reverend G. V. Hazelwood and the Reverend B. C. Ulyett, praying the House to authorise them to sell a portion of land part of St. Stephen's Vicarage.

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

Mr. E. D. MOTTLEY: Mr. Speaker, I beg to present a Petition on behalf of the Right Reverend G. L. G. Mandeville, Lord Bishop of Barbados, the Very Reverend G. V. Hazelwood and the Reverend

B. C. Ulyett, praying the House to authorise them to sell a portion of land part of St. Stephen's Vicarage. The Petition is respectfully worded, and I beg that it be taken as read.

NOTICE OF BILL

Mr. E. D. MOTTLEY: I beg to give notice of a Bill in respect of the Petition of which I have just given notice.

BILL READ A FIRST TIME

Mr. E. D. MOTTLEY: I beg to move that the Bill to give authority for the sale of land, part of St. Stephen's Vicarage be now read a first time.

Mr. GODDARD: I beg to second that.

Hon. M. E. COX: Before you put the question, I did not hear when notice of the Bill was given.

Mr. SPEAKER: Notice of it was given.

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

DEBATE RESUMED ON MOTION FOR RESCISSION

Mr. GODDARD: Mr. Speaker, I am asking leave to continue with the debate which was postponed earlier today in connection with the motion for the rescinding of the vote suspending the hon. junior member for St. Lucy.

Hon. M. E. COX: The hon. junior member for Christ Church cannot speak again on that motion, the hon. junior member for St. Joseph was the hon. member who was speaking on that motion last. It was his duty to continue the debate.

Mr. SPEAKER: The hon. member is only suggesting to the House to continue the debate on that motion. Is the House desirous of continuing this debate?

VOICES: Yes.

Mr. SPEAKER: I want to get the feeling of the House as to whether or not hon. members are desirous of continuing the debate on the motion moved by the Hon. Leader of the Opposition. The only way for you to get the feeling of the House is if some hon. member intimate it by beginning to speak on the motion.

Mr. E. K. WALCOTT: Mr. Speaker, I moved the postponement of debate, and I know that it is within your power to allow me to defer any speech which I may care to make on it until later. I am asking for that privilege.

After Your Honour left the House, the Hon. Leader of the House said he thought that it was only right that we should not carry on with that matter in your absence in view of the debate which proceeded on it. I then asked the Deputy Speaker if it were possible to see the records of what took place on that matter; and it was suggested to me that the right thing for me to do was to move a motion for the further consideration of the debate. I did so, and the Hon. Minister of Social Services rose and seconded the motion.

Although I have had the opportunity of looking at the records of the debate which took place on the suspension of the hon. junior member for St. Lucy during the short adjournment, I am still asking your permission to allow me to postpone my speech on the question until a little later.

Mr. SPEAKER: The hon. junior member for St. James is asking my permission to allow him to speak later on this question. This is not the first

occasion during my time that hon. members were allowed to speak out of turn. [A VOICE: That is against the rules.] [ANOTHER VOICE: There is a specific rule which allows that.].

Mr. LEWIS: Mr. Speaker, I desire to speak on the matter.

Mr. SMITH: Mr. Speaker, I was speaking on the matter last. I am not finished.

Mr. SPEAKER: Do you desire to continue your speech on it?

Mr. SMITH: Yes. Mr. Speaker.

Mr. SPEAKER: I hope honourable members will understand that the honourable junior member for the City has not made a speech on this matter.

Mr. LEWIS: I can deal with that.

Mr. SPEAKER: No, I am dealing with that.

Mr. SMITH: Mr. Speaker, relative to the motion which was made by the honourable junior member for Christ Church, it shows plainly that he knew in his mind that something had been wrong on the Chairman's part during the suspension of the honourable junior member for St. Lucy; because, when I was coming into the House today I heard the honourable junior member for the City say that there was some slip up on the part of the Chairman. I believe he might have been travelling in your direction also, because you also intimated that the Chairman had slipped up and you also said that you yourself had slipped up too. However, I am saying, that I did not slip up. If you made a slip I do not know; I did not slip.

3.55 p.m.

As you know Rule 131 says that the words must be taken down. When I made my report to you and you asked me for the words, I told you that I could not remember all the words but that the Clerk would have the words taken down and that he would read them to you. I am sure that they were taken down and he read them back. I have done my duty as Chairman. One hon. member (the junior member for St. Lucy) made offensive remarks to another member (the hon. senior member for St. Joseph) and the latter member drew it to my attention. I in turn drew it to the attention of the hon. junior member for St. Lucy and asked him to withdraw the words. He told me in plain words "No" I am not going to withdraw it. I then said well, I can only call upon the Speaker for his directions because the rule says so.

Now when you resumed your Chair, I am sure that the Clerk read the words which he had taken down; and it was only after hon. members began contradicting each other, (some saying that the hon. junior member for St. Lucy had said this, others saying that he had said that) that Your Honour then asked that the words be taken from the Reporter. Nevertheless the words were taken down. I as Chairman feel that I was not treated in the right way when you intimated to the House that the Chairman had slipped. I have never yet done that to you.

Mr. SPEAKER: The Chairman has said that the words were taken down. I should like the Chairman to read Rule 131 more carefully. The Chairman will see that even before the words can be taken down—Perhaps it is better that I read the Rule. This is what the Rule says:

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

Now I understand from the Acting Deputy Clerk that he took down the words at the suggestion of the Hon. Premier and not by the instructions of the Chairman. In other words, the Chairman did not

direct that those words be taken down. [Mr. SMITH: That is not correct.] If it is not correct I have been misinformed and misdirected; that would be a very serious matter. The Acting Deputy Clerk informed me that the Chairman did not direct the taking down of those words but that it was at the suggestion of the Hon. Premier that the Deputy Clerk took those words down. I would not know that because I was not in Committee. Therefore what the Chairman is contending is not on very sure grounds, because it was not on his direction that those words were taken down.

Earlier to-day I was dealing with the words "if it appear to be the pleasure of the Committee" and it appears to me that the pleasure of the Committee must be first ascertained; and there are ways and means of ascertaining the pleasures of the Committee. The taking down of those words are conditional of having the pleasure of the Committee obtained; it must be obtained first, otherwise it would not have been mentioned here before mentioning the instructions connected with the actual taking down of those words.

If all these things have been complied with there is no irregularity; but if every one has not been complied with there is an irregularity. Hon. members have heard that the Acting Deputy Clerk crossed those words out after he discovered that the Chairman had not issued that instruction. Hon. members will bear in mind that I was not in the Chair when the House was in Committee and that the report had been given to me by the Officer of the House and a very responsible officer too. Therefore if that information can be denied that is all well and good; if it cannot there is an irregularity. That is what I am saying.

I am not interested one way or another as to what the House would do; that again is the pleasure of the House. If the Chairman is saying repeatedly that the words were taken down; he has also to say who directed them to be taken down; and if he has directed them to be taken down, as it is he should have got the pleasure of the Committee before they were taken down. If anyone can say so, I will say what I have already said; that is, that I am big enough to say before the entire world when I have slipped up or down; and that is without any prejudice to the Chairman.

Mr. SMITH: Mr. Speaker, you were not in the House. Mr. Speaker, you can see the attitude of those members.

Mr. SPEAKER: As you are addressing the House? I do not want to appear that I am lecturing the House, but do not pay too much attention to hon. members.

Mr. SMITH: Mr. Speaker, I must pay attention. You were not in the House, but when I asked the hon. junior member for St. Lucy about the remarks complained of he said to me: what remarks? And the Hon. Premier quoted from the hon. junior member for St. Lucy word for word to the Clerk. If the Clerk then goes and tells you that he crossed out those words, well what must I call him?

When I asked the hon. junior member for St. Lucy to withdraw the remarks, I turned to the Hon. Premier and the Hon. Premier practically called them out in an a-b-c way. What must I do if the Clerk crossed them out? He must have crossed them out last night; but that is a matter for him.

What has happened is that you get hon. members trying to put people into things and then resorting to experts to take them out; but if you are wrong you are wrong. It was only on account of the aiding and abetting on the part of other hon. members on

the left of the member for St. Lucy that has caused this. I do not think that it was voluntarily done by him.

I once heard of the story of a certain farmer who had set a trap for some cranes, and in that trap a stork was caught along with the cranes. When this stork tried to plead his innocence this was what the farmer said to him: "With the cranes you have been caught and with the cranes you must die."

If the hon. member says the Rule is that if a member refuses to withdraw the alleged offensive remarks the House must deal with it under Rule 133 — [A VOICE: The Rule does not say so.] Well none of the hon. members indicated or showed to me that there was any disorder, because even when the hon. junior member for St. Lucy insisted that he should speak I said to him: "I cannot let you speak if you do not withdraw those remarks." In your position as Speaker and he had done such a thing, would you say that it was not to your displeasure?

I waited for a considerable time and nobody intimated to me anything to the contrary so I concluded that it was the pleasure of the Committee. The hon. member and nobody else (even the expert) said nothing else. [A VOICE: Who is the expert?] It was the pleasure of the Committee; if it were not so some member would have got up and expressed himself to that effect. What was I to do? I wanted to clear myself; therefore I said to him if you do not withdraw I will have to go and call the Speaker. It is the duty of the Chairman to try to keep order and put one's feet down on these things because matters are going too badly now.

9.05 p.m.

It was no snap thing which went on; it was over five minutes that I waited for Your Honour to take the Chair. The expert on these things did not say anything either. Here it is that the public will read to-morrow that the Chairman slipped up when I did everything that was possible. It was the pleasure of the Committee otherwise some other hon. members would have said otherwise. Even when I told the hon. member that I would have to call upon the Speaker, nobody said anything. What was I to do then? I wanted to clear myself; it is the duty of the Chair to put your feet down on these things. I have had hon. members fairly in here and when you resumed the Chair you let them get away. As long as that happens—

Mr. SPEAKER: The hon. member has imputed that after he, as Chairman of Committees, had hon. members cornered, or words to that effect, I let them go. That is a very unfortunate remark; I am not here to let go hon. members, drop hon. members, or anything of the sort. I am here to deal with things quite impartially and quite placidly as they concern any Party in this House. I do not like the hon. member's reference to my letting go or letting off hon. members, which ever word was used. I think it is most unfortunate for the hon. member to make that remark.

Mr. SMITH. As I was saying, Sir, until we do our duty and try to keep our feet down as closely as possible and keep hon. members to the Rules of this House, we will not get anywhere. [Cheers.] It is our duty to do that. Here hon. members try to do as they like and to make the Chair to appear as nothing; and if you do not try to do more than mere suspension, I do not know what will happen.

An hon. member referring to me said: "Smith, let the man talk" and you Mr. Speaker said to me: "Do not take them seriously" and since then the hon. member nearly got his head cut off by asides. I did nothing wrong; I did everything according

to the Rules of the House. There was no snap thing as I have already said; it is only now that they have caught up themselves and tried to put me in an embarrassing position. It was not a snap up by me; [Mr. E. D. MOTTLEY: Why did you not say that then?] The hon. senior member for the City is there speaking; he for one, will not behave himself at any time; he thinks that getting up in this Chamber and howling as loud as he can, is getting him anywhere. He admitted that the hon. junior member for St. Lucy was wrong.

It does not appear as if the honourable member knows what is right from what is wrong. [Laughter.] I ruled as you would expect me to rule and nobody gave the slightest indication that any infringement of the Rules had taken place.

Mr. E. D. MOTTLEY rose to speak.

Mr. SPEAKER: The hon. member may not speak. Can't the hon. member calm himself?

Mr. LEWIS: Mr. Speaker, I desire to make a few remarks on the motion which has been moved by the hon. junior member for Christ Church relative to an occurrence which took place at the last meeting of this House. I was not at that meeting, but I have read (in ways which I will not quote) some of what took place. I have taken the trouble to refer to the typed copy of the debates to be printed; and I am wondering, Sir, if you will allow me to verify some of the things which are in this Report.

Sir, we often hear hon. members say that you cannot quote from the debates of the present Session, but the Rule does not say so. The Rule says that you cannot quote from the debates of the present Session on a Bill or other matter not then before the House. With reference to the motion, I should like to quote Rule 123. I am not saying that it is necessary to have this Rule before us for any future part of the debate. Rule 123 says this:

"No member may reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded."

9.15 p.m.

So I take it that the motion before us is in order. It attempts to rescind the vote of the House in respect of suspension of the hon. junior member for St. Lucy without reference to the merits or demerits of the particular case. [Loud Asides.]

Mr. Speaker, I am going to ask a special favour of the hon. junior member for St. Philip who is perhaps old enough as to be my father. I am asking him to be his age and to conduct himself while hon. members are speaking with that decency which hon. members expect of him.

Mr. J. C. MOTTLEY: Mr. Speaker, is the hon. member saying that I am misbehaving myself?

Mr. SPEAKER: There is an interference.

Mr. J. C. MOTTLEY: Will he please clarify that statement?

Mr. LEWIS: I have heard his voice several times. He is the one hon. member who is obstructing the debate that is taking place.

Mr. J. C. MOTTLEY: It may be that what I am saying is the reason for the hon. member specifically catching at my words.

Mr. LEWIS: I am not catching at any words of the hon. member. I think hon. members will admit that he is the only person obstructing this debate. His is the only voice I have heard during the time I was speaking; and Mr. Speaker, I think you may have heard him too.

However, sir, I come now to what took place when the question was being debated. Rule 131 says:—

"In Committee of the whole House, the Chairman, if it appears to be the pleasure of the Commit-

tee, will direct words objected to, to be taken down, in order that the same may be reported to the House."

Mr. Speaker, as regards the matter as to whether it appears to be the pleasure of the Committee, I am not to say how it must appear; but there is no getting away from the fact that the Chairman himself must direct that the words be taken down. If the words are to be taken down, it must be done at the direction of the Chairman. I am not talking of anything that may have happened while I was not here, but I am saying that these Rules must apply to the case. If words are to be taken down, they must be taken down in Committee on the direction of the Chairman, because it is only the Chairman who can direct that they be taken down according to the Rule.

Mr. SPEAKER: The Chairman contends that he had directed that the words be taken down. That is the Chairman's contention.

Mr. LEWIS: If the Chairman so directed, the report by the Reporters does not bear that out; it might be incomplete; and if that is so it would be well if we put it right. Mr. Speaker, according to the report, Mr. Tudor was saying: "yet those persons, among whom was the hon. senior member for St. Joseph especially, moving themselves in and out of polling booths, brow-beating or intimidating, either by word or frown—"

The hon. member for St. Joseph rose and objected. He said: "Mr. Chairman, I object to the use of those words. They accuse me of a criminal offence and I call on the hon. member to withdraw them."

The hon. member for St. Lucy then said: "Mr. Chairman, I cannot withdraw them."

The hon. senior member for St. Joseph said: "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 hon. member has accused me of the electoral offence of intimidating voters—a most serious charge."

The hon. junior member for St. Lucy then said: "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 then said: "The hon. senior member for St. Joseph makes objection to your words. I can only report the matter to the Speaker."

The Speaker was called and the hon. senior member for St. George called your attention to Rule 131 and the report goes on:

The hon. senior member for St. George says: "The Rule says 'if it appear 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 hon. 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 hon. members, but on the pleasure of hon. members that these words are to be taken down."

You then said: "The hon. member is quite right; I used the same words to the Chairman of Committees 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."

"The Chairman having slipped up on Rule 131, by not directing that the words objected to be taken

down therefore, no report having been made, I will deal with it under Rule 133, in order to give the hon. 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."

That is what was said according to the report, and no hon. member has objected to it. The Chairman of Committees said that he called you about this, that and the other, and no member objected. The Chairman of Committees must appreciate that it was left to the objector to see that things were not going right. You cannot expect somebody who is charged with something sitting and seeing you go wrong, is going to put you right to convict himself. Therefore, the Chairman, in my opinion, should not have depended upon certain members of this House to put him right.

Now, Mr. Speaker, it depends on how that report by the Chairman must be made to the House. From what I have seen, the Committee would have to send the charge to the House. That has happened on an occasion when I was in here. The words were taken and formed part of a motion which was agreed to and the Chairman reported. Fortunately, nothing happened. If I were dealing with it in Committee, that is what I would have done.

Sir, I feel in creating a punishment on an hon. member for anything he may do, we should not ourselves break the Rules. If an hon. member commit an offence against the Rules of this House, we should carry them out to the letter. I feel that if that matter had been dealt with properly in Committee, the latitude may have been so elastic as to cause some reconciliation; and instead of its being dealt with in that way, it might have ended happily.

Now, Mr. Speaker, if you will permit me, I will read this passage from the report. You put this to the hon. junior member for St. Lucy: "Objection has been taken against the word 'intimidate'. That word is unparliamentary, but then 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."

The honourable junior member for St. Lucy said: "Mr. Speaker, my use of the word 'intimidate' had no specific reference to the honourable senior member for St. Joseph"; and Mr. Speaker, this is what you are reported to have said: "Has the honourable member said that when he used the word 'intimidate' he was making no reference to the honourable senior member for St. Joseph? Now, I do not want any qualifications whatsoever in your answer; no big reference, no small reference; I simply want the answer 'no reference.'"

The Hon. Premier then said: "I most positively object. Everybody in here distinctly heard when the honourable member made use of the word 'intimidate' in the following manner:"

"People moving in and out of polling stations among whom was the honourable senior member for St. Joseph intimidating them." It appears that at one stage the hon. senior member for St. Joseph said that he hoped it would not happen in here again; but then the matter flared up and a motion had to be made. If the matter had been dealt with correctly in Committee then no motion would have to be made in the House; because as I have seen the matter has to be dealt with in Committee. The House having then resumed the procedure would appear to be on all fours with the passing of money Resolutions in Committee of Supply.

In my opinion the whole matter has been an unfortunate occurrence; and I have a particular interest in it from the point of view of the way in which it was done for this reason: as long as I am Deputy Speaker a similar case might arise, and I might not be able to follow your precedent; in which particular case I might have to send the matter back to the Committee to be dealt with. That is my particular interest in the matter.

I do feel that if honourable members read this debate they would see that so far as the records go (the records I have in my hand) that the honourable junior member for St. Thomas made two motions without withdrawing the first. It is recorded that the motion was made for one week and it is seconded by the very honourable member who seconded the motion for two weeks; so that I cannot quite understand the motions. Which is the correct one? [Hon. M. E. COX: That record is not authentic]. Mr. Speaker, I am not taking anything as authentic. [A VOICE: Well bring the record.] I am saying that two motions were made. Are the errors in this debate to be regarded as much as saying that a man is sent out from a Committee and it is not recorded at all. I am aware of the fact that I might be wrong but not entirely. The substance of the report would be correct. But sir it goes further. Under Rule 131 which Your Honour read to-day, does this House censure disorder in a Committee without receiving a report? I take it that the House must first receive the report from the Committee.

I certainly feel that irrespective of the fact that they might have had the best intention in the world, (that is that whatever was being done was being done in accordance with the rules) the matter was not dealt with as fully as it should have been in Committee. I got that impression from reading a newspaper report and I also made enquiry from honourable members who were present; and I took the trouble to ask to be allowed to read the typescript prepared by the Reporters. I must say that among the matters that have been taken down recently I cannot see how a motion that has been made can be entirely omitted. A motion can be put down in the wrong way.

Right in this document the verification of the words from the Reporter (whether that method is a correct one or not) had: "Intimidating either by word or frown" A voice said "What was said was 'Gesture'". A discrepancy like that might make some difference; but that does not constitute that at least the whole speech was not made. That is all I have to say in the matter; although I must add that if an hon. member offends against the rules of this House, I feel that the entire House should take the greatest interest in seeing that any breach of the Rules be punished and punished severely.

I myself have had cause to regret the extremes to which honourable members sometimes go in testing the patience of the Presiding Officers of this House; and as one of them I deplore it. What I have said does not apply to any particular member of the House; I say it for all the members of the House.

This is my final word. In punishing an offender of the House by debarring him from being a member of the House, we ourselves should see to it that in doing so we observe the rules of this House very strictly.

Mr. SPEAKER: I should like to say this for the benefit of all the honourable members of this Chamber. When the honourable member who has just sat was speaking, I noticed that some honourable members got a certain impression. Rule 131

says this: "In 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."

I wish now to make a special reference to the words: "the Chairman, if it appear to be the pleasure of the Committee." Honourable members seem to have got the impression that there is no need for formality in ascertaining the pleasure of the Committee; but I must point out that on occasions when a motion is withdrawn or when some honourable member desires to withdraw a motion that same speaker, in getting the pleasure of the Committee has to put it quite formally and has to say: "Is it the pleasure of the Committee that the motion be withdrawn." I have only said that lest any other honourable member should feel that there is no need for formality in this particular case. I am not mentioning that as a point to haggle; but I should certainly like honourable members to bear that explanation in mind. I think it may also be incumbent upon the Chairman to seek the pleasure of the Committee.

9.35 p.m.

Mrs. BOURNE: What has actually brought me to my feet are the numerous errors as read out from the report by the hon. junior member for the City. It is regrettable that such an incident should have occurred because I think that the valuable time spent in debating a matter such as this could have been better spent; and it would serve a better purpose in going on with the Bill which was being considered in this House earlier to-day. Again I say it is regrettable; and the Reporters should be more accurate in reporting the debates in this House. I say that for the benefit of honourable members who were not here; and I hope they will accept the position from me as I was here during the whole debate and I was at pains to listen to what was taking place.

What actually happened was that when we reached Clause 19 of the Bill which deals with Presiding Officers and Poll Clerks and those who take part in election, the honourable junior member for St. Lucy got up and said that it is a very important section and that we should see that responsible people are elected to such posts. Then he gave his experience in St. Lucy in the recent bye-election. The words which were objected to were to the effect that people were moving to and fro in the polling station, including the honourable senior member for St. Joseph intimidating people: the honourable senior member for St. Joseph got up and objected to the word "intimidating"; the Chairman of Committees drew the attention of the honourable junior member for St. Lucy to the fact that the honourable senior member for St. Joseph had taken objection to the word. He was asked to withdraw and the honourable member asked "Withdraw what"? After an aside was made or somebody said "Withdraw the word intimidating" the honourable member insisted that he would go on to make his speech. The Chairman said: you cannot speak because objection has been taken. The honourable member was then asked to withdraw the words, and he said, "I did not say so." The honourable senior member for the City said, "Yes, you said it, and do not say you did not say it." Then, the Chairman of Committees again appealed to the honourable member to withdraw the word and he said he was not going to withdraw it. The honourable senior member for St. Joseph said that he asked that the words be taken down. The Chairman said that the honourable member had

asked that the words be taken down and the Acting Clerk asked what were the words. The Acting Deputy Clerk was writing something but I do not know what it was that he wrote.

At this stage, what I am really worried about is that the words written by the Acting Deputy Clerk were crossed out after which you, Mr. Speaker, asked the Reporter to be called in to read back what the words were, or what were the words crossed out when the Chairman actually reported to you.

What I said actually took place in Committee. The honourable junior member for St. Lucy had ample time to withdraw the words if he wanted to do so. The Chairman was not rash; he acted quietly, there was no haste. After the honourable member did not withdraw the word or apologise the Chairman asked, (I take it through the Committee) that the Speaker be summoned and that the words be reported to you.

As you know I am one of the junior members of this House; I have been sitting here for the last three and a half years and this is not the first occasion when you had to be summoned to the Chair, and there was no occasion on which I have ever heard that the Chairman was told that he should have asked that the words be taken down by the Clerk.

They did not think that this matter would have reached the stage where the honourable junior member for St. Lucy would have been suspended because I feel that the words written down by the Clerk would not have been crossed out.

I just want to show you how inaccurate the report of that debate is. As you will remember Mr. Speaker, even when you were sitting in the Chair you put it to the junior member for St. Lucy that the Hon. Leader of the House had said "if the honourable junior member for St. Lucy did not withdraw the word or apologise, I will make a motion that he be suspended for one week." You will remember that you told the honourable junior member for St. Lucy that the Hon. Leader of the House had not made any motion. You asked the honourable member whether he intended to apologise or to withdraw the words, and he said that he had no intention of doing so; it was then that the honourable junior member for St. Thomas made the motion.

The Hon. Leader of the House did not make two motions; he intimated on the first occasion that if the honourable member did not withdraw the word or apologise he would make the motion. He had not yet made the motion. You said, Mr. Speaker, that the honourable member had not yet made the motion. After the honourable member said that he did not intend to withdraw the words, then the honourable junior member for St. Thomas made the motion for the suspension of the honourable member for two weeks.

I feel that he was nothing but puerile in saying that he was not referring to the Hon. Premier. Members of this House have to respect Mr. Speaker as well as the Chairman. Even here tonight I heard an aside from the honourable senior member for the City that it could not be true.

Mr. E. D. MOTTLEY: I object. I said it could not be true that the honourable member could have gone into the voting booth. The honourable members know that she has misquoted me; what I did say was that it could not be true that the honourable member could have gone into the Polling Booth.

9.45 p.m.

Mrs. BOURNE: Mr. Speaker, it could not be true that anybody can go into a Polling Booth, knowing the set-up as I do. As I have said it is regrettable that such a thing has happened and I hope that this will be a lesson for all honourable members of this Chamber. I feel while this Chamber is not a place in which Sunday School is kept, that you will agree with me when I say that at times you are hard pressed to maintain order; because there are some honourable members who are very unruly to the Chair. It is regrettable that such a thing happened and that such things should be said.

I very well remember on more than one occasion hearing you threaten to deal with honourable members; and those are things which I think should not occur. At times tempers will flare up and there will be sometimes loud asides. You do not have to hear them; you can ignore them at times for the orderly business of this House.

Mr. GODDARD: I think I should reply, Mr. Speaker. In moving the motion this morning, I made it perfectly clear that I did not intend that it should be viewed from any other angle than the procedure which took place when the matter was debated. It has been substantially repeated what took place as regards the procedure. The honourable junior member for the City got hold of a copy of the proceedings during that period and I can substantiate it.

What I am particularly interested in is the method that was adopted when the matter was reported to Your Honour. That was an irregularity. I drew it to Your Honour's attention and it has been substantially put by others and I think, to your satisfaction.

I have moved this motion only because I wish to put it on the record that a member has been suspended by an irregular procedure. It is to be regretted because that is the most serious step that this House can take. It is the first occasion that many of us have seen a member suspended; and we are told that on every other occasion that such a thing was about to take place, particular pains were taken to see that all procedure was strictly correct and ample time was given to the members who were charged to withdraw the remarks or to make a satisfactory explanation.

As I have said, I thought that the explanation given by the honourable junior member for St. Lucy had met with the approval of Your Honour and to a great extent, that of the Hon. Premier, because he in his own words said that he hoped it would not happen again.

I am the last who would want to challenge Your Honour's authority, but on my part I think when the Leader of the House raised that motion for the suspension of the honourable junior member for St. Lucy you had already accepted the apology or explanation, and you even turned to the Chairman of Committees to ask him to resume his place, and most of us thought that that was the end of the matter. We were surprised to see the turn which took place afterwards. Although the honourable junior member for St. Lucy was given one further chance to further explain himself, he said that he had thought that he had expained himself sufficiently, and in turn that he had satisfied everyone and he did not feel he could do more than that. I do not think he was rude when he said so. He did it very nicely. Let me say again that I have no other notion for moving this motion than what I just said. I am asking that this should be put to the vote because it should have been regularised. My only regret is that it is not in your power to make a ruling on this issue; because I feel

from what you said tonight that you would really like to see the records of this House put right for future reference. I thank you very much for the latitude which you have given me. I do feel you have handled this matter most impartially, and I thank you again for that.

Hon. M. E. COX: Before you put the question Mr. Speaker, I would just like to make a few remarks on this important issue. I should like to say first of all that I am not at all surprised at the attitude taken by the members on the other side, and more particularly by the Hon. Leader of the Opposition who has just sat; because on many occasions to my regret, when members on that side were behaving badly, despite the feelings of the Chair, I have heard him urging them on instead of appealing to them to behave themselves.

Mr. GODDARD: I strongly object to those remarks, Mr. Speaker. I do not believe he means what he says. How can he say that he saw me urging members on this side of the House to go on behaving badly despite the pleadings of the Chair?

Mr. SPEAKER: The honourable junior member for Christ Church has objected to those remarks. I am asking the honourable senior member for St. Michael to withdraw them.

Hon. M. E. COX: I always obey the Chair. I withdraw those remarks, but I am sure I am not making any false statement against anybody.

It is unnecessary for me to repeat all that has been said by the honourable members who have already spoken, and more particularly the Hon. Chairman of Committees and the honourable senior member for St. Andrew who more or less put the facts of the case very ably to this House. However, as one of the honourable members of this House, and one who loves to see the dignity of this House preserved and the rules adhered to, I took a very keen interest in what went on at the time; and, Sir, the report which has been given both by the Chairman of Committees and the honourable senior member for St. Andrew is a correct one of what transpired during that unfortunate moment.

Now, Sir, what is the position? The position is that the honourable junior member for St. Lucy made some remarks which were objected to by the Hon. Premier.

9.55 p.m.

The honourable junior member for St. Lucy, after refusing to withdraw the remarks complained of, it was agreed to by the Committee that the words should be taken down. Now, I have heard quite a lot about the Chairman not having directed that the words should be taken down. I have heard also quite a lot as to how this procedure should have taken place; but I am convinced of the correctness of the proposals and suggestions made by the various honourable members because I have witnessed on more than one occasion the procedure adopted by a member of this House. I have a record of what was done on this phase by the honourable member below me. [A VOICE: That is a reflection.]

In 1941 there was a debate in this House on the Workmen's Compensation Act and the honourable senior member for St. Philip and the Hon. Premier got into a little difficulty in this House. The House was in Committee and this was the procedure adopted then: the words, Mr. Speaker, were objected to by the then senior member for St. Joseph (now the Hon. Premier) and he said that the remarks referred to him personally. The Chairman said inter alia: "The honourable member is simply saying that he takes the remark to mean him." Mr. H. W. Springer who was the then senior

member for St. George said: "Mr. Chairman, may I call your attention to Rule 131; it reads as follows: "In a Committee of the whole House, the Chairman if it appear to be the pleasure of the Committee, will direct that words objected to, be taken down in order that the same may be reported to the House," and I wish you would enquire whether it was the—"

Mr. SPEAKER: Will the honourable member repeat that?

Hon. M. E. COX: I repeat that the words were taken down and that there was no motion.

Mr. SPEAKER: I am simply asking the honourable member to repeat the last few words of the sentence which he made just now.

Hon. M. E. COX: Mr. Speaker, I will go on to show where this procedure is not foreign to what took place before. But what I said just now is this: "and I wish you would enquire whether it is the pleasure of the Committee that the words objected to be taken down." That was what Mr. H. W. Springer asked. Then the honourable senior member for St. Philip went on to speak and then the Chairman said: "I ask that the words which the honourable member for St. Joseph objected to be taken down correctly and given to me. I should be glad if the honourable member who objects to those words would just write them on a piece of paper and hand them to the Clerk."

I say that the words were taken down. The hon. member called out the words to the Deputy Clerk who has them there in the Minute Book; and although, as he says the words show sign of having been cancelled, still they are legible and can be read. The hon. senior member for St. Joseph then gave the words to the Deputy Clerk.

There was the question as to whether the Committee in 1941 should report progress. The hon. junior member for St. James who was the Attorney General at that time said: "You cannot do that now, under the rules of the House"; which meant it had to go through. The motion was then made to report progress and that motion fell through. Later on the Chairman said: "I call the hon. member's notice to Rule 131 again and I wish he will not interrupt me. According to Rule 131 the Chairman has to enquire whether it is the pleasure of the Committee that those words be taken down and reported to the House." The words having been taken down the Chairman reported them to Mr. Speaker. The House resumed and Mr. Speaker said: "The Chairman has reported to me that whilst the Bill to provide Compensation for Workmen was under discussion, etc." Then after some more argument the honourable senior member for St. Philip withdrew the words. [Mr. LEWIS: What were the words?] Mr. Speaker, what I am saying is that we on this side of the House would like to see the dignity of this House preserved. [Mr. LEWIS: Well preserve it.] And while it may appear to some people that the punishment inflicted—

Mr. SPEAKER: I do not think the House is really going into that.

Hon. M. E. COX: I was under the impression that in view of the fact that you have allowed the question to be re-opened—

Mr. SPEAKER: The question before the House is that the vote be rescinded; it has nothing to do with the kind of punishment at all. I think that that is quite outside the motion. I think the Hon. Minister is going away from the subject a bit.

Hon. M. E. COX: I do not want for one moment to challenge Your Honour's ruling; but from the time that the House of Assembly has been in exist-

ence it is unknown that a question once decided has never been brought back within that same session. If it is decided in the House it is never brought back until the House is prorogued.

Mr. SPEAKER: I have already explained myself on that point earlier in the day.

Hon. M. E. COX: What I am saying, Mr. Speaker, is that I really regret the whole incident, although I know it is difficult to get some hon. members to believe. As a matter of fact, I am inclined even to see some of the points made by the hon. jun. member for St. Joseph. Indeed I never expected that the hon. junior member for St. Lucy would have adopted that attitude. I expected that from some other hon. member; but I think I can say that his attitude generally in the House has been milder and more respectable or respecting than many of his colleagues; and it was surprising to me when the hon. member did not show himself big enough to withdraw the words complained of. His colleague who is generally more volatile than he (I mean his Parliamentary Leader) recently withdrew two offensive statements which he had made against the Hon. Premier and myself.

10.05 p.m.

I think the hon. junior member for St. Lucy, I want to say quite frankly, has a greater sense of behaviour and culture and everything else than those with whom he is associated. I draw my conclusions and I say that that is gospel truth.

I was indeed sorry that the hon. member did not see his way to withdraw the word which caused the motion to be made. I must say, Mr. Speaker, that it is most unfortunate and regrettable that even during that discussion hon. members who obeyed the Chair more often than some others, tried to influence the hon. junior member for St. Lucy; irrespective of what his feelings might be towards the members of this side of the Table. In the interest of preserving the dignity of this House, and in the interest of keeping in line with what I know he loves, it is regrettable that honourable members did not try to insist upon the hon. member that he should withdraw the word. As a matter of fact he was supported by his surrounding colleagues with the view that if a motion was made, when it was put to the vote it would have been lost and he would have remained as conqueror over the Chair.

I am sure that if the hon. member had known what the result would have been, the hon. junior member for St. Lucy would have withdrawn the word. I want to say here again, it has been expressed by the hon. junior member for St. Philip on the last occasion, and I know it was expressed on another occasion, that it is most unfortunate that the debates of this House have degenerated into personal attacks on hon. members. The debates are not in keeping with the promises which hon. members made to the electorate when they were seeking their suffrage.

While it is true that at times some hon. members say that this is no Sunday School, at the same time, we are supposed to be the leaders of public opinion, public thought and public behaviour, public respectability and things of that sort; and if we can set no other example than by such unbecoming behaviour Tuesday after Tuesday, then God help the community. [Mr. F. L. WALCOTT: You cannot accuse the House of bad behaviour.] I accuse the House of what happens. The hon. junior member for Christ Church said that we did not give the hon. junior member for St. Lucy sufficient time to withdraw the word.

Mr. GODDARD: On a point of Order. What I said was that if the matter had been dealt with in Committee as it should have been dealt with, the hon. member would have had more time than he had.

Hon. M. E. COX: I do not know what the hon. member means by that, but if I understand the Rule, as soon as any objection is raised nobody else can speak. If the offending member refuses to withdraw remarks then those remarks must be taken down and reported to Mr. Speaker. Therefore I do not know what the hon. junior member for Christ Church means by saying if the matter had been dealt with in Committee the hon. member would have had more time.

What I am convinced and satisfied about is that the Chairman of Committees could not have ruled and conducted the debate better; I go further and say that no one would have done it better than he did it. 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."

The Chairman of Committees has said in no uncertain terms that it appeared to him that it was the pleasure of the Committee to have those words taken down; and I say emphatically that it was the pleasure of the Committee to have the words taken down.

10.15 p.m.

The Chairman said that in his opinion it was the pleasure of the Committee. How are you going to get around what the Chairman says? After all, the Chairman said that in his opinion it was the pleasure of the Committee that he directed that the words be taken down.

There is a Rule which says that the member objecting must state what the words he wants withdrawn are; and everything was complied with. The Chairman directed that the words be taken down, and the words were taken down. That is under Rule 131. After the words were taken down, there is a Rule which says that "Every such objection when such words are used and not after any other member has spoken." The Chairman refused to allow anybody else to speak and in the meantime the honourable senior member for St. George jumped up to speak and the Chairman said, "I am going to entertain no debate from you. I have to settle this first."

The Chairman pointed out that nobody could speak because the words having been objected to they must be taken down with a view to reporting to Your Honour. This is what Rule 133 says. "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." That is where Your Honour came in.

I may say, Mr. Speaker, if we are not going to work by the Rules we may as well shut down now. I am stressing that the Chairman of Committees complied with every rule in this Book on this particular question, and then the matter was reported to you. It was done with the distinct feeling of the Committee. I have never seen it set down that you must vote to find out what the feelings of the Committee are on the matter.

As you know, sir, sometimes a motion is put and nobody answers, therefore you declare that the "Ayes" have it. Therefore it must be regarded that silence is consent. No honourable member expressed the view that the words should not be taken down and reported to you. The honourable junior member for St. Lucy was adamant. He said he was not withdrawing anything and he did so because he felt he would have got the number of votes from that side of the Table to give him advantage. That is my opinion why the honourable member did not withdraw the words complained of.

I may say, Sir, that I regret to think that after this House has made a decision on such an important matter like this (not through any malice or ill feeling on the part of any member, but more or less with the view of bringing up to scratch or attempting to regain lost ground in so far as the dignity of the House and the standard of the debates are concerned) that you should get a debate of this kind. Members who ought to know better and members who obey the Chair themselves should not urge other members to behave badly. This motion was made because we want to make it crystal clear that members cannot behave badly.

As I have said, I regret that instead of those honourable members assisting in maintaining the dignity of this House, instead of their saying to the honourable member: "Be a man withdraw and let us carry on, it does not make you small to do so" they never said such a thing to the honourable member.

I always feel that it is a weak man who is afraid to stoop, because he is not sure whether he would rise again; whereas it is the strong man who will stoop at any time because he is sure that he will rise again. It is not strength which makes people do things of this sort; it is weakness.

Mr. Speaker, I say that I regret that the appeals which were made by members on that side of this table to members on this side not to press the motion for the suspension were not made previously to the honourable junior member for St. Lucy, so that he could have withdrawn the remarks he made as all honourable members of this House do when anything arises. When the Chair or any member claims that a member used remarks which were offensive and calls on that member to withdraw them, the member withdraws the offending remarks and goes on. Such a thing within recent years has never reached the stage it reached the other night.

Mr. Speaker, I am appealing to honourable members (although I know that in so far as some of them are concerned, my words must fall on deaf ears or on stony ground), to see that this is no case for pride; it is absolutely none to us in Barbados who make our boast from time to time of being Little England and all that sort of thing, for the world to read that members of the House of Assembly abuse and attack each other and do things such as that. That may be fun indeed for those of lower mentality; but I know there are quite a lot of people of the humble, middle and higher classes who object strongly to the bad behaviour which goes on in this House Tuesday after Tuesday. Many people have spoken to me about it and I know that many have spoken to other members about it. I am sure that many people have appealed to members of this House not to indulge in personal rancour and abuse, but to get down to the business of the House and to do the work which we were sent here to do.

Again I am appealing to the House. A motion such as this, if carried, will not only be a reflection on Your Honour but will also be a reflection on the Chairman of Committees and a reflection —

10.25 p.m.

Mr. SPEAKER: Has the honourable member said something about the Chair?

Hon. M. E. COX: I never said anything against you, Mr. Speaker. I would not do that on the floor of this House. I respect the Chair and Your Honour who is in the Chair.

As I was saying if this vote is carried, it would appear to be a reflection on the Chair because the Chair entertained the motion and the motion was adopted and carried. [Mr. LEWIS: But it can be rescinded without going against the Speaker.] I

am sure if this vote is rescinded it must reflect on the Chair, because future generations seeing the debates of this House would be amazed to think that a responsible House, after passing a vote on such an important item as the behaviour of and the preservation of the dignity of the House —

Mr. SPEAKER: I do not agree that if the House rescinds its own vote that it would be a reflection on the Chair; I cannot understand that.

Hon. M. E. COX: There is no doubt that people will want to know what is wrong with this House. On Tuesday last you entertained a motion to censure an honourable member who wilfully refused to abide by the rules of the House; and if this had been allowed to pass without doing something to correct it, some people would proceed to make a laughing stock of this House.

The Rules are as clear as ever. You have passed judgement and now you have upset all that you have done, even though there is a rule to the effect that you cannot pass a vote and rescind it in the same session.

Mr. SPEAKER: The honourable member has quoted no rule that I know of.

Hon. M. E. COX: Mr. Speaker, I will show you a rule. If I remember correctly, the reference has just been made by the honourable junior member for the City where he cited that a Bill was introduced into this House and before it was withdrawn, another Bill was substituted in its place.

Mr. SPEAKER: That is a different matter.

Hon. M. E. COX: The honourable member referred just now to the typescript of the debate which took place last Tuesday; but the honourable member has, in a loud stentorian voice and with great indignation, got on the floor of this House and severely criticised the Reporters in connection with the reporting of the debates of this House. He made special reference to some speech in which he had referred to something which the late Mr. Walter Bailey had done and that he had been misreported as having said something about telephone posts or something like that. Now tonight he comes back in here (with the same Reporters mind you) and quotes their report as being authentic.

Mr. LEWIS: I quoted what took place in my absence. What I quoted is going to be printed.

Hon. M. E. COX: He has no confidence in the actual reporting of debates, yet he brings their reports of the debate into the House.

Mr. LEWIS: Which other debate must I bring.

Mr. SPEAKER: I do not think this is fair to the Reporters. I want to explain that no reference was made that the reporting was always inaccurate. [Mr. CRAWFORD: It may not be the same Reporter.]

Hon. M. E. COX: You cannot say that the debates are inaccurate and then use the one which he has as an authority.

Now, I was saying just now that we all regard the incident as unfortunate; but at the same time it is our duty, if we want to prevent the debates from further sinking or degenerating, not to enter into personal squabbles and things of that sort. When honourable members offend against the Rules of the House we must take action as the Rules permit us to do. We should not through friendship or otherwise attempt to make it appear as though you were supporting something which can be considered as unbecoming.

For the most part during this debate, I considered that honourable members were just dealing more with small technicalities rather than the bigger issues. Some honourable members were arguing whether the Chairman had directed this or whether

the Chairman had directed that or things of that sort. Questions have arisen today which never arose when this matter was last dealt with.

I do not think it is fair after a matter has been decided that something completely new should be brought in, in order to have the decision changed. Irrespective of whatever is decided on this vote I want to appeal to honourable members to let us stick as closely as possible to the rules of the House and try to get on with the business of the House for the benefit of the people who have elected us; and if there is any wrangling or anything of the sort we may [Mr. LEWIS: Forget it;] carry it outside in the park or any other place else.

10.35 p.m.

As to the question which was dealt with in 1938 which was referred to in the Press, I looked up the debate and I noticed that the honourable junior member for St. James although, with sympathy and so on, yet stated that he had to do his duty when he made the motion against the honourable senior member for St. Joseph. I looked up that debate and from his silence, it does appear to me that he agrees that the Chairman of Committees is right. Doubtless the honourable member could quote many cases to show the Chairman of Committees acted on this occasion in a matter similar to other Chairmen of Committees in past years.

Mr. CRAWFORD: Before you put the question, Mr. Speaker, lest the misinformed get the impression that in making this motion we are doing anything irregular, I want to begin by asserting that this House is quite within its rights to endeavour to move that this vote be rescinded.

Mr. SPEAKER: That was decided earlier in the debate.

Mr. CRAWFORD: It has been settled in so far as we are concerned, but the last speaker has not quite understood that. The fact that Rule 123 as quoted by the honourable junior member for the City entitles an honourable member to move that a vote be so rescinded, under certain conditions, justifies the motion which has been made today; and any insinuation to the contrary is merely to misinform people who are not correctly informed in the matter.

Now there has been an attempt made by the last speaker in my opinion, to becloud this entire issue. He said that people should not be afraid to stoop; and people are only afraid to stoop when they are not sure that they can rise again and that strong men are capable of rising; therefore implying that they should stoop, and it is not strength but weakness which prevented the honourable member from withdrawing the word in the circumstances. Apparently, Sir, it has not yet entered into the head of the honourable senior member for St. Michael that the honourable member who was censured by the House last week refused to withdraw the word, not on account of any weakness or strength as defined by the honourable senior member for St. Michael, but he refused to withdraw the word realising that what he said was correct. In other words, the honourable member made a statement; he said he was prepared to prove that statement was true and in fairness to his conscience he could not withdraw what he regarded as an absolute statement.

Hon. G. H. ADAMS: On a point of Order. Could that begin to be true when the honourable member said he made no reference to me, and it was on that ground that he did not withdraw the words.

Mr. CRAWFORD: I quote from the report which has already been quoted from. When the hon. senior member for St. Joseph asked the Chairman of Committees to have the honourable junior mem-

ber for St. Lucy withdraw the words, he replied "I cannot withdraw them." This is what the honourable junior member for St. Lucy said.

After the House resumed, the honourable member said:

"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 by-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 polling stations."

I say in parenthesis that obviously it is impossible for anyone except a voter to attempt to enter a polling booth, but the honourable junior member for St. Lucy said: "polling stations and booths [laughter] to intimidate and render uncomfortable, voters. 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." Let honourable members laugh now. The honourable junior member for St. Lucy went on: "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." The honourable senior member for St. Lucy has said in and out of the House that he ordered the honourable member out of the Polling Station at Half Moon Fort.

10.45 p.m.

The honourable senior member for St. Joseph says that is a lie; that he was not asked about ten o'clock to put himself at a respectable distance from the precincts of the Selah Polling Station and that he was not ordered out of the Checker Hall Polling Station by one of the agents of the honourable junior member for St. Lucy. Remember he used the word Polling Stations not Booths. The honourable senior member for St. Joseph said to-day "How could I have entered a Polling Booth? Now what is a Polling Booth? A Polling Booth is a little Box."

Mr. LEWIS: Mr. Speaker, I rise on a point of Order. With all due deference to you, I think we are discussing an irregularity. It appears to me that we have strayed from that.

Mr. SPEAKER: The honourable member is going into a phase which is not of interest to the House. The motion before the House is founded on irregularity.

Mr. CRAWFORD: To be quite frank, I am not interested in refreshing the House about that; I was only making the point in order to support a point which I am going to make later in connection with the matter which is before the House, and also to substantiate my allegation that the honourable senior member for St. Michael failed to interpret correctly the attitude of mind which was responsible for the refusal by the honourable junior member for St. Lucy to withdraw the remarks when he was asked to do so by the House.

Now, the hon. junior member for St. Lucy quoted three instances in which the hon. senior member for St. Joseph was asked to withdraw from Polling Stations, and he has not said anything untrue or

offensive or unparliamentary about him. A little later this is what the hon. junior member for St. Lucy said in answer to you when you called on him and asked him if he desired to explain himself any further:

"No, 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 you; and until now I thought I had satisfied the House. I understand from the hon. junior for St. Thomas that he and his colleagues require further satisfaction. That, Mr. Speaker, is not within my power to offer."

[A VOICE: Who reported that?]

The hon. junior member for St. Lucy, in other words told the House that he could not offer the House what it demanded of him because in fairness to his conscience he felt his allegations were correct. After all, if he saw those things with his own eyes, as he expected to come in here and knowing that is so, just merely to deny the statement and withdraw the remarks.

Mr. SPEAKER: I think the hon. member is developing a point which is not of interest to the House.

Mr. CRAWFORD: The hon. junior member for St. Lucy in this particular attitude was not singular. The hon. senior member for St. Michael apparently believes in contemporaneous history. He quoted from what transpired in 1941 but he failed to quote as fully as he might have what happened in 1938.

I want to show the House, Mr. Speaker, if I am permitted that the attitude of the hon. junior member for St. Lucy last week was parallel with the attitude adopted by the hon. senior member for St. Joseph in 1938 when the House called on him to withdraw offensive and unparliamentary remarks and he also refused to withdraw them.

Mr. SPEAKER: This thing happened in Committee; not in the House. We are dealing with an irregularity at a meeting in Committee of the House.

Mr. CRAWFORD: All I am merely trying to do is to explain for the benefit of hon. members and the public, that entirely apart from the irregularity of the proceedings which have been well established, it is not necessary weakness when the hon. senior member for St. Lucy refused to withdraw what he regarded as an accurate statement. The hon. senior member for St. Michael made an elaborate point about strength and weakness and so on. Well now, in 1938, the hon. senior member for St. Joseph made an offensive remark against the late Mr. Charlie Elder, and he was asked to withdraw it; and this is what the hon. senior member for St. Joseph said—

Mr. SPEAKER: That is not before this House. The question is whether an irregularity was committed; not whether you were right or you were wrong. That is not the point.

Mr. CRAWFORD: Mr. Speaker, the question that an irregularity has been committed has been so well established that it is superfluous for me to go over it.

Mr. SPEAKER: The hon. member is not doing the House a service by straying from the question.

Mr. CRAWFORD: If the hon. senior member for St. Michael assumes that because the hon. junior member for St. Lucy refused to withdraw he was weak, I think I am entitled to put him right. In a debate of this sort, any argument especially misguided argument, is liable to have a wrong influence.

Mr. SPEAKER: I think that aspect of the matter is immaterial at this stage.

Mr. CRAWFORD: I appreciate, Your Honour, that the House will pay no account to what the hon. senior member for St. Michael has said. While it is not strictly relevant, can I not draw an analogy to what took place in 1938 and last week?

Mr. SPEAKER: It is not an analogy. What happened in 1938 was for words which were used in the House, while this motion is based on an alleged irregularity having been done in Committee.

Mr. CRAWFORD: So far as I read from the report, in the House you called on the junior member for St. Lucy to withdraw the offending words.

Mr. SPEAKER: To the satisfaction of the House.

Mr. CRAWFORD: In 1938 the honourable senior member for St. Joseph was also asked to withdraw the offending words to the satisfaction of the House.

Mr. SPEAKER: We are dealing with an irregularity as to the vote in question. This is alleged error in procedure and nothing else.

Mr. CRAWFORD: Certainly, sir, in endeavouring to convince ourselves that there was error in procedure, we are entitled to draw attention to the background of the entire thing.

Mr. SPEAKER: Not necessarily now.

Mr. CRAWFORD: If our minds are confused about what took place, are we not entitled?

Mr. SPEAKER: Oh no! Our minds are not confused.

Mr. CRAWFORD: I believe that Your Honour is not confused about what took place, but from the speeches which I have heard, I think some hon. members are confused about what took place. I am convinced that there was an irregularity in the actual suspension itself; and I can see no reason why I should not be permitted in a debate of this sort to draw a parallel to what has happened in 1938. As a matter of fact, sir, I propose in quoting from the proceedings on that occasion also to refer to the procedure.

Mr. SPEAKER: The procedure on the 1938 occasion is not involved. I am sure it is bound to be different. We are dealing with a matter which began in Committee.

Mr. CRAWFORD: Certainly, sir, what we are dealing with took place in Committee but that was only the beginning of it. Although it took place in Committee, it had to be referred to the House. The other matter took place in the House and it had to be finalised there.

On that occasion, the hon. senior member for St. Joseph was asked by the Speaker on seven different occasions to withdraw the offending remarks and he absolutely refused to withdraw them. I take it from the remarks of the hon. senior member for St. Michael that the hon. senior member for St. Joseph then was exhibiting great weakness. I take it from the remarks of the honourable senior member for St. Michael that the honourable senior member for St. Joseph was then stupid enough as to feel that he could not stoop because if he did so, he could not rise again.

Mr. SPEAKER: The honourable member is as it were forcing on this House an otherwise interesting rehearsal of what happened in this Honourable Chamber on that occasion; but that is of no benefit to this Chamber because we are not dealing with matters which are similar. This matter is based quite differently. I want to submit that history is always interesting, but I do not think that we should be involved in matters which although interesting, are not pertinent at this stage.

Mr. CRAWFORD: I do not think we should be against hearing a matter which has happened to the honourable senior member for St. Joseph in a similar adjunct. Sir, all I want to do is to impress on the minds of honourable members and the last Speaker, that the refusal to withdraw words that were offensive or unparliamentary in a debate (just as in the case of the honourable junior member for St. Lucy or in the case of the honourable senior member for St. Joseph in 1938) does not necessarily constitute weakness. It merely means that the honourable member believes and is firmly convinced in the accuracy of what he has said. Now that is what brought me to my feet apart from the fact that I want to say in my opinion from what I have heard, that there was some irregularity in the procedure and therefore the House is perfectly within its rights, entirely apart from the justification of the remarks, to save its face from this irregular action last Tuesday and to agree to the rescission of the vote on that occasion.

I want to apologise to the honourable Mover of the motion, the honourable junior member for Christ Church for entering the debate after he had made his final speech on the matter; because I am fully aware that the Government's Bench takes the strongest possible exception to speeches from honourable members after the Introducer of a motion has excused his right to reply. Therefore, I take it that the speeches which followed after the reply by the hon. junior member for Christ Church are contrary to practice and ungracious, and therefore I apologise to him for having transgressed in this respect.

Hon. G. H. ADAMS: I am not apologising for speaking after the honourable senior member for St. Philip because I have pointed out to the House that the honourable member does it so often, that I have had to draw it to the attention of the House. If a Mover of a motion has the right to reply, if something fresh has been said after he replied, he is perfectly right to reply to that also; just as if the honourable junior member for Christ Church were to ask to make a reply to what was said after he replied, I would certainly vote for it.

It has been suggested that those who want to vote against this motion for rescission have not given any specific incidence or argument showing that there was no irregularity. I say with sorrow, rather than anger, (and that is not just a phrase) that up to last Tuesday there was no man in this island whom I met, and discussed this matter with him, could say that I have failed to say to so and so, "Oh the junior member for Christ Church, he is a decent fellow." I have always said that although the honourable member is a Conservative, I see nothing in his politics which would make him stoop to do anything which was dirty. I regret to say that since last Tuesday my respect for him is not the same, because in the responsible position as Leader of the Opposition, (he is unlike the junior member for St. James who was not present) he heard with his own ears and had seen everything that happened; he heard my objection to being accused of a criminal offence by the honourable junior member for St. Lucy. I did not object to the word "intimidation" because you can use the word "intimidation" quite innocuously. I objected to it in the context. There is no actual limitation to criminal offences; anybody can lodge a case against me if they want to use that as evidence.

11.05 p.m.

As a most responsible member of this House it was his duty (irrespective of what Party he be-

longed to), to aid the Government in maintaining the dignity of this Chamber. What is the good of saying that we are degenerating in this Chamber unless when a clear case arises where an honourable member goes so far as to accuse another honourable member of an indictable misdemeanour, and that honourable member happens to be the Leader of the Government, for the honourable member to act as he acted. It is amazing to me that the Hon. Leader of the Opposition should have voted against a motion for the suspension of that honourable member. This is nothing in this world to do with politics; it is a question of the dignity of the House. With all the fulminations used by the hon. senior member for St. George, not once did he object to the proceedings on the ground of irregularity. [MEMBERS: Yes, he did.] What irregularity did he mention?

Mr. CRAWFORD: On a point of Order. From the proceedings which are to be printed, the honourable senior member for St. George referred Your Honour to Rule 131. He said that this alleged occurrence took place in Committee and he concluded "I am suggesting that the whole thing is an irregularity."

Hon. G. H. ADAMS: What is it that is going on today but an irregularity?

Mr. CRAWFORD: The hon. senior member for St. George quoted the entire Rule; he said that it was an irregularity; that 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.

Hon. G. H. ADAMS: It is a pity that we have not got all the English Rules. For one thing there is a Rule that you cannot reflect on the Speaker or the Chairman of Committees; and this is regrettable in view of the Chairman's assertion, in view of my memory and that of those on this side of the Table.

The Chairman specifically directed that those words be taken down. What is the practice? The member objecting must as closely as he can, state the words to which he objects. The latest edition of "May" makes that very clear. The practice is not entirely the same because of the wording of the Resolution in the House of Commons Journal as compared with our Act.

Our Rule says "if it appear to be the pleasure of the Committee". You have not got to take a vote in order to see that. If everybody is calling for a withdrawal and the honourable member does not withdraw, then it is obviously the pleasure of the Committee that the words be taken down.

In 1941 I was asked to write down the exact words I objected to. If any honourable member has a copy of "May" he can check what I have just said. The Chairman or the Speaker calls upon the offending member to withdraw and the offending member not withdrawing or apologising to the satisfaction of the House, the member offended asks that the words be taken down as far as he can remember them himself; therefore there was never irregularities in that.

Far from being irregular it was my duty to do it. The Chairman and the hon. senior member for St. Andrew have told you in absolute, clear, simple, accurate and explicit terms what happened after that. The Deputy Clerk asked me what were the words; at one time the Acting Clerk asked me what were the exact words. The hon. senior member for the City said: "Yes those were the words as taken down by the Clerk," the honourable member who was waving a piece of paper in his hands said that the words were correct.

The Chairman has told you here today what were the words that were taken down. I am asking the House to rely on what they have heard from others: that there was an explicit direction to the Clerk to take down the words. Where is the irregularity up to that point? I repeat that when the hon. senior member for St. George got up and mentioned that, it was so ridiculous that I did not contradict anything; I would not worry to answer that with all of us sitting down here.

One knows the nature of the hon. senior member for St. George whom Your Honour had to correct when he suggested that I did not give the honourable member a chance to withdraw. We have all these facts before us; it all happened before our eyes and in our hearing. When it comes to the appeal of the hon. junior member for Christ Church, this is the only thing which has worried me in this debate; I thought the honourable member would have shown himself to be the true Leader of the Opposition, by forgetting politics and remembering only the dignity of this House.

There are people who used to hold us up as the mirror of everything that a Legislative Assembly should be; therefore let responsible members of this Assembly give clear proof that they put the dignity of this House and the fair name of Barbados above politics; and the position of Barbados as regards respect in the Caribbean will continue to be what it was. I regret that a stranger had to tell me: "Your boys are losing prestige with the rest of the West Indies when we begin to talk about the Federal Capital." [Mr. F. L. WALCOTT: Do we want a Federal Capital without money?] I am suggesting that occasions of this sort are not occasions for Party Politics; and I repeat that if the Chairman of Committees has said that he objects to its being said that he slipped up in this matter, I entirely agree with him.

11.15 p.m.

Another matter that I think I should refer to as regards the conduct of the hon. junior member for Christ Church, is the fact that I have come in here today and I only heard of this most important issue for the first time one-half second or so before the honourable member got up and said that he was going to make this motion. He has not told me up to now.

Mr. GODDARD: On a point of Order, Mr. Speaker. I sent Your Honour a covering letter saying that it has caused me grave concern. I sent it here by half past two yesterday afternoon.

Mr. SPEAKER: The letter came to hand and I saw it this afternoon.

Mr. E. D. MOTTLEY rose to speak.

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

Hon. G. H. ADAMS: I did not know that; I apologise. The hon. junior member for Christ Church has done the right thing if he sent to notify the Speaker.

If this debate and the debate of last Tuesday have done anything, they have certainly done good and one of the things is that (I hate to say things that might hurt individuals; I hate to say things that might cause a man the loss of his job) I do agree that the reports are disgraceful. I am not saying that the Reporters may not do their best; but when one reads some of the things that one is supposed to have said, it is remarkable to think that anybody could make some of those mistakes. I have refrained from saying this for a long time; but inasmuch as this debate has shown up things of that sort then, I think it is about time that we

put our House in order all round. [Mr. F. L. WALCOTT: Get new Reporters.]

I do not know what are the particulars obtaining around Your Honour or outside with the Opposition, but the fact that a letter of such importance was not drawn to the attention of the Speaker and the fact that other members could not be aware of it, is another indication that all is not well in the office.

Mr. Speaker, I am sorry that certain honourable members are not in their places; because I intend that as long as this Government is in power and as long as the sort of disgusting beer-garden behaviour persists (those whom the cap fit will draw the string even if it is any member of the Government) I feel perfectly sure that a member of the Government who may be called upon to withdraw any remarks will, without hesitation withdraw such remarks if ever they are found unparliamentary. I will add that I am sure no member of the Government is going to withdraw in the way in which some honourable members sometimes seem to withdraw. I can well appreciate Your Honour's position sometimes; I myself have not said the simplest thing in reply when some of the strongest words have been used in reference to me. "Hypocrisy" for instance, is a remark which is not only unparliamentary but libelous. The hon. senior member owes me now £100 for having called me a "court hypocrite".

Mr. CRAWFORD: And how much do you owe me now?

Hon. G. H. ADAMS: I am appealing to all honourable members to see that we have gone much too far with regard to the level of the language used in this House; and I suggest that it is no pleasure to any of us. Some of the things that are said in the House with many strangers listening must give an unfavourable impression; and I also regret very much some of the things said by Your Honour and for the necessity of the Chairman to reply. I am sure that incidents like this do not do the House any good nor the holders of so important an office.

Mr. SPEAKER: The hon. senior member for St. Joseph has expressed himself as having regretted some remarks that I have used. I should like to hear that more fully.

Hon. G. H. ADAMS: Your Honour makes many mistakes; judges make many mistakes. You said it outside afterwards; even if the Chairman of Committees had slipped up—[A VOICE: He said it last week.] The Chairman used some language which was unparliamentary but obviously he was defending himself. When we look upon matters of this sort, if you do not keep a careful check on yourself, even the Chair might give an impression that the dignity of the House is not being preserved. This House of Assembly in Barbados is one of the oldest in the Commonwealth, the most respected in the Caribbean.

Mr. SPEAKER: The honourable member is really making a personal reflection on me as Speaker of this Chamber. My whole attitude in this matter was one of fairness and impartiality. [Applause]

I say this: I am repeating the remarks today which I said before: if I have slipped up, I am big enough to tell that to the world notwithstanding the House of Assembly. [Applause] If a judge slips and he has to go elsewhere and admit to other people it is the judge's business.

Hon. G. H. ADAMS: Mr. Speaker, since you have taken it in that way, I must tell you that you have slipped up. [VOICES: You have no right doing that.] Your Honour was about to leave the

Chair after saying that the honourable junior member for St. Lucy's explanation had satisfied you until I drew it to Your Honour's attention that it was the House that had to be satisfied and not Your Honour. If that is not a slip up, what is it?

[Mr. F. L. WALCOTT: You are out in Argentina.]

Mr. SPEAKER: The honourable junior member for St. Peter will calm himself.

The Hon. Premier has said that on the last occasion when this vote for suspension was under consideration that just before the vote was put, I appeared to be so satisfied that I attempted to leave the Chair. I did not appear to make any gesture of relinquishing the Chair. Someone said that I called back the Chairman. I never called back the Chairman.

When I discovered that the honourable junior member for St. Thomas was making a motion I was quite willing to leave the Chair; as a matter of fact I had thought that matters would have died down. But I do not relish the idea of the honourable member appearing to chastise or castigate me on this occasion and I am saying so with every ounce of determination that I possess. [A VOICE: Bring in a vote against the Speaker.]

Hon. G. H. ADAMS: The office of Speaker is so dignified that honourable members *must* respect it. When one of those officers openly speak in the House words of chiding then, I say it is regrettable. Let me add this: even if it comes to using words unparliamentary, even the Speaker can be censured. It is left to the two occupants of the Chair if they persist in saying things that they will regret in time to come.

Mr. SPEAKER: I am saying nothing that I will regret.

Hon. G. H. ADAMS: I am speaking once more with regard to the appeal to let us all forget all that has happened now that we have realised that we are going much too far as regards the dignity of this House. This is my reason for bringing everything including the remarks made by Your Honour and the Chairman before the House. I hope that this is the last occasion on which we shall get a situation of this type. Not only things said in strong language should be objected to. As the honourable junior member for the City has said from time to time we get very strong language used in this House; but there is a difference between strong language and abusive language. Unparliamentary language may be strong compared with some of what is said in this House.

No matter what is said today we should remember that we are members of one of the oldest Chambers in the Commonwealth and that we should live up to the reputation which our predecessors have prepared for us. When this is done, then we will regret nothing in years to come.

I feel it would be very hardy if I were to reply to some of the remarks that are used in here from time to time; and when we reach that stage where one honourable member persists in casting aspersions on another, it is more than regrettable. I repeat that I hope that we will never come even within passing distance of another episode like this.

Mr. SPEAKER: I hope that in the Hon. Premier's remarks there is no inference as to my casting aspersions on the Chairman. Early in the day I was at pains to point out to this Assembly that I was not in the Committee when this incident took place and that I had to deal with what was reported to me by the Acting Deputy Clerk. I heard the Deputy Clerk's side of the matter; I did not want to depend on my memory. I also heard

the Chairman's side of the matter and I gave absolutely no conclusion as to what was what. I hope that the Hon. Premier does not conceive the idea that I at anytime meant anything against the Chairman. I said that if the Chair has slipped up it is a matter for the Chair. I stand by that and will ever stand by it.

Mr. BRANCKER: One of the remarks, Mr. Speaker, which the Hon. Premier used was this: let us forget what has happened. Mr. Speaker, if he did say that, it is reasonable to infer that not only will he be voting for the motion made by the Leader of the Opposition, but that he will be using his overwhelming influence to counsel other honourable members to vote in like manner; because nothing could be more indicative than those remarks: "Let us forget what has happened."

Before I proceed any further, let me assure you that no one (unless one is biased and impartial) could take exceptions to the exemplary manner in which Your Honour conducted the business of the day. I say that because in view of what has taken place, there might be a suspicion in Your Honour's mind that we were not highly appreciative of the manner in which the proceedings of this most difficult day have been conducted.

11.35 p.m.

I sir, in common with the honourable and learned members for St. Joseph and St. James was a member of this Chamber on that memorable day, the 18th January, 1938 which was the last occasion previous to last Wednesday morning when a matter of this kind was debated. I would just say this: on comparing the proceedings which took place then (which are clear in my memory, my memory has been refreshed by re-reading them over the week-end) with what appears to have taken place last Wednesday morning, was that on the last occasion the mover of the motion, (the hon. junior member for St. James) said this: "I shall make the motion. But I hope before any member seconds it, the honourable member will see it from that point of view and save what is undoubtedly an unpleasant episode."

I mentioned that from the point of view of our bearing in mind that this invaluable usage of the Mother of Parliaments and which was followed in this Chamber in 1938, is to give the maximum of time for tempers to cool and for members I think, to marshal their forces in case the matter is pressed to a division. On that occasion the hon. junior member for St. James made the motion and there were six speeches made; the seventh speech was made by the late Mr. Kinch who then proceeded to second the motion after that considerable time. And that was not all. Afterwards the late lamented Mr. "Chrissie" Brathwaite moved that the House do now adjourn for half an hour, and that motion was seconded by Mr. W. W. Reece and carried.

You can see that what happened in this House was nearly in strict conformity with the practice of the Mother of Parliaments which we are so keen in following. Now as "May" puts it in the fourteenth edition at page 440:

"If the words be taken down in a Committee of the whole House, they are reported forthwith, to be dealt with by the House. Failing the tender of explanation or apology, the consideration of the matter is appointed for the next sitting, and the member incriminated is ordered to attend."

In other words we find that according to "May", (and if I err with "May" I err in good company) the procedure is to allow the maximum of time for due consideration and for people's minds to become more placid.

I want now to make another point. A lot of the discussion today might have been saved if the Minutes of this Chamber were published in earlier time than they certainly are published now. I have never known them to be so belated as they are now; if we had those Minutes, we could have referred to them, and not refer to the typed copies of the Reporters which will eventually appear in the "Official Gazette".

I happened not to be here after ten p.m. last Tuesday and I am one of those who would welcome the printed Minutes as the official guide to what transpired. We cannot rely on the Newspaper reports and therefore we have to fall back on the copies of the Reporters a percentage of whom is not really brilliant. I am not putting it any stronger than that; the Reporters need more practice or more experience. However, sir, from a perusal of these reports and in the absence of the Official Minutes, I noticed myself that today an honourable member has referred to the records according to which there was a motion made by the honourable junior member for St. Thomas who is reported to have said this: "If the honourable junior member for St. Lucy refuses to withdraw the word complained of I am making a motion that the honourable member be suspended for one week."

Hon. Dr. H. G. H. CUMMINS: On a point of Order. I never said that. I said if the honourable member does not apologise or withdraw the word "Intimidate", I would make a motion for the suspension of the honourable member for a week.

Mr. BRANCKER: I am not saying that the honourable member said that. I am quoting what appears in the report. Presumably what will appear in the *Official Gazette*, is that the Hon. Minister said if the hon. member refuses to withdraw the words complained of 'I am making a motion that the honourable member be suspended for one week.' Then there were remarks made by my colleague and the honourable senior member for St. Michael said: "I beg to second the motion." There are no Minutes and that is what appears in the typed report. I hope I am audible now. Then the Report goes on that the honourable junior member for St. Thomas said: "I beg to move that the honourable junior member for St. Lucy be suspended from the service of this House for two weeks" and the honourable senior member for St. Michael said: "I beg to second that."

The absence of the Minutes of the meeting of the House is a severe handicap. One cannot always be present in this Chamber while a meeting is going on, and therefore one's guide is the Official Minutes. Another thing which strikes me in this report is that there is no record, (I hope I will be corrected if I am wrong) of the motion being withdrawn, or of leave being asked that the motion be withdrawn. There is an omission in both motions, or in the motion which was carried last Wednesday morning, and it is that there has not been the use of the word "now". I do not want any attempt at the end of two weeks for a supplementary motion to be made, if my colleague does not return, or for it to be said that the motion did not state that he be suspended now. That word "now" is a very essential part of the procedure. It is always put: "I beg to move that this House do now adjourn" but this word "now" does not appear in the report.

If the honourable member does not return to this House within fourteen days I do not want it to be said that we will determine the date on which the suspension has to be run. I want that point clarified because if there is a point which the jurist can-

not help noticing, it is the use of the word "now". 11.45 p.m.

So then, Sir, as I have said, in the absence of Official Minutes, one has to ask oneself first, if in Committee when Your Honour was not present, any motion was made that the words complained of be taken down; and one has also to ask oneself if any motion was made, did the Chairman report it to Your Honour. It would be no slight irregularity, it would be a grave irregularity if those two things were not done in Committee. We have no official record and it is not well, Sir, that we have to rely on the recollection of members on the Other Side. I do not want to be offensive nor to be a protagonist (I take it that that word is not too strong on one side or the other) but one prefers to refer to something coming from a source which is not affected by the heat of the debate and which is not disturbed by the fire of the consequences. I think I should emphasize those points.

Let us remember that May's points out—p. 434—that if a member desires that words be taken down he must repeat the words to which he objects, and state them to the House exactly as he heard them to be spoken. Then the Speaker, or the Chairman, if in his opinion the words are disorderly, and having ascertained from the records of the House or the Committee, directs the Clerk to take down the words of which objection has been taken. As you have reminded us on more than one occasion today, our Rule 131 states, that 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. I would be glad to learn of any other form or method for knowing the pleasure of the Committee than by asking for the "Ayes" and in the case of doubt, calling for a division. That is the only safe method which I know. I am sure that if there are any other methods, they cannot be so safe. Some of them are not informative or as helpful as they might be.

Sir, as I am pointing out, the important thing that we should do is to get our Minutes in time before the next meeting, unless the next meeting is a Thursday following the Tuesday on which we met. When there is an interval of a week, it is reasonable for our staff with the cooperation of the Government Printery to have the Minutes in printed form on a Saturday or at least by the Monday evening; and we can rest assured that if the rest of us do not have the time to read them, the honourable junior member for the City, the Deputy Speaker, will read them and will discover if an "i" is not dotted or a "t" not crossed.

The point which I want to emphasise before I sit and which needs great stress, is that in no case of this kind should there be any attempt to rush anything through. In the case of the honourable and learned honourable senior member for St. Joseph in 1938, the Speaker called on him seven times asking him to withdraw. And mark you, after that when the Government's spokesman made the motion, it was not seconded right away, and subsequently, there was the motion for the adjournment. These things should not take place unless there has been the maximum time for adjournments and delays in order that everybody should have time to see clearly and to reason rationally. There should never be the attempt to rush anything through, especially if it is an early hour of the morning.

I think this should teach us a lesson. Having recalled how a similar matter was dealt with in 1938, and how it was carried out in conformity with Brit-

ish tradition in the House of Commons, we should see to it that we follow it. It is only a coincidence that the two known cases in existence within living memory have not occurred with ordinary men, but with two Oxonians.

Mr. F. L. WALCOTT: I am not dealing with two Oxonians, I am dealing with what concerns the House. I will tell you this: if any Oxonian insults me I am not taking it, because certain people feel they have a divine right to insult others passed on to them.

I did not intend to get into this debate on what happened last week, because I believe if I were here it would have turned out in a different way; but I would say that we all agree that you should not join with those members who do not see in the same light, to cast any reflection on those members who happen to be in the Chamber.

Now, it would appear to be the view of some people that the reason why there are so many conflicts in this Chamber is because we who are in this Chamber, represent a different point of view to that which the people twenty years before or even three hundred years, represented.

Now, it is sent out to the world that the conduct of the Barbados House of Assembly today is lowering the dignity of this Chamber. I will ask a question. In what way? When people come to the island, let them say whether the island has made any progress as compared with the time when those people twenty years ago and further back, were governing the island. We now have a lady in this Chamber.

I would say, Mr. Speaker, that I do not believe in tribalism; what I see happening today is an aspect of tribalism working in people's minds as if we are reared in some parts of Africa where, when the Chief wants something done everybody must do it or their heads will be taken off. I say no tribalism with me; my foreparents gave up tribalism and I intend to give it up too. What we want today is respect for each other's point of view and not respect for what money one may have.

11.55 p.m.

It pains me to hear certain things. The Hon. Premier has, in this House, made more derogatory remarks about people and their education than any other member of this House; that is a sad reflection to be made on any socialist leader. Some people have no sense of pride. In this House you hear certain hon. members saying hard things about other hon. members; and when you look at the rest they are smiling, forgetting that the same insults are going to be cast at them too.

Now, take for instance what has happened today. I never raised any objection to it. The Hon. Premier called this House a "beer-garden". [A VOICE: It is true]. I am not talking about people who are looking about for jobs for their families; I am talking about people in here.

If you can talk about a "beer garden" we shall soon be walking about with sash knives. What right has the hon. member to refer to this honourable Chamber as a "beer garden"; simply because things do not please him? How many rows have we had in this House? Analyse every row or every dispute and you will see who has been involved in these rows for the last three years.

If any other hon. member of the House had done this, maybe the Hon. Premier's tolerance would not have gone so far; but I should like to see any other hon. member telling Your Honour the things the Hon. Premier said from his seat or somebody telling the Hon. Premier from their seat what he told you. If they did you would see the difference.

Do not worry to criticise the conduct of people unless you yourself are prepared to be an example. You cannot want people to join you to vote for this, to expel, and to advocate certain things when you by your very conduct do similar things.

Some weeks ago I had to counsel the hon. senior member for St. George about this question of a vote of censure on the Chairman of Committees. He passed an opinion and I had to agree with it.

I say that the Chairman of Committees is a nice fellow. When he is going down hill no one is going with him. Nobody can fool me that the Chairman was not wrong when in the early morning he put the question when a member was on his feet in debate; I will say that it was wrong.

When it comes to this whole talk that certain people are saying that bad behaviour is being practised in here and certain hon. members do not want to be associated with that, I say this: we have to set examples. Let the hon. members who are saying so set the example. Hon. members on that side of the House cannot stay there and push things at people to hurt their pride. Tell people plainly that you are going to push them out. I would advise the Leaders on the other side of this House that if they are so dissatisfied with the House as it is, then it is within their province to call an election; or I would call on the members whom they regard as ill-mannered and then go and tell the people that there are not worthy to be in the House. Do not say it in the House; let us say it in the broad daylight. Say to yourselves: "well, the House is not being run in a dignified manner, let us call an election; that is the best thing to do." Now may be a very appropriate time, because there are some of us at present in this House for the sake of what we can do for the people, whereas there are others whose very economic future would be jeopardised if they were not members of this Place. That is one important aspect of the problem.

I have heard it said in this House before that someone can make me suffer. If somebody or some devious mind should attempt to make me suffer he might see the light of day once more after that. If you feel satisfied that you have the confidence of the people and that others do not have the confidence of the people, then call an election. You should put an end to the threats that are made to these people once and for all. Begin now and give those hon. members a chance to stand clear with the public. Hon. members will appreciate that the House reflects the wishes of the people one way or the other.

Some hon. members are in the unfortunate position where a seat in this House means too much to their economic existence. We all agree with the fact that members of this House should be paid, but then it is not so easy to really express one's own point of view, for the simple reason when you cannot feed your wife and family outside of being a member of the General Assembly. Well, when a representative of the people has to think of his stomach before he can think of the clarity of his conscience and the representation of the people, believe me, it is a very sad position indeed.

I will not take part to any greater extent in this debate for the simple reason that I was not a party to what transpired last week. My final remark is this: I do not like the idea of beating about the bush, fooling people and patting fellows on their backs. If these reporters are not good, why is it that you do not come with a formal motion?

12.05 a.m.

If the Reporters are not good I would not have any compunction for anybody. It is not my money I am paying out; I am paying the money for which I am a trustee. If the Reporters are not paid a proper salary, if they are paid £500 [A MEMBER: Not yet]. as a maximum, I am saying that the salary is £500 as a maximum. I am not suggesting that that is too much or too little.

No matter what the salary is, if hon. members of this House are convinced that the Reporters are not doing their jobs, then the Reporters should be dismissed. Why are we afraid? If the Reporters are not doing their job why not "fire" them? A remark was made as to the Office; why is it that the Minister of Labour was instructed, (he would not have done it unless the Premier and others had approved of it) to bring forward an Item, which is Item 23 on the Order Paper under "Private Members Business"? That Item is "to move the passing of a Resolution relating to the salary of the Librarian & Secretary of the General Assembly." Whom are you trying to fool? The hon. member said "not only the debates but the Office;" if something is going wrong, why it is that you do not adjust these things? In this debate you have created so much dissatisfaction among the Staff, do you think that you are going to fool anybody that you are going to get the maximum out of them? How do you think the Reporters feel if the reports are disgraceful and you are not making any attempt to go into the matter? You are wasting public funds if you can say publicly that for the money you are paying out you are not getting satisfaction.

Mr. Speaker, I raised these points because as a member of this Assembly we have all been accused of being members of a "beer-garden" and therefore remarks like that coming from the person whom the Premier said he has met and whom he has spoken to, mean that the person whom the Premier has met has put him above the Members of this Assembly and therefore he has come back here and said "you are a beer-garden". We are now reaching the stage where we are evolving self-government; today we have to take insults; today we are on the border line of a vote of censure being made on you without the House taking a vote in that your authority was challenged and I do not intend to do that but it is a very sad example to this Chamber.

The Chairman was exonerated in a warm manner although he is your junior officer. One went so far as to say that a vote of censure could be taken against you. Today's debate has revealed that certain hon. members have taken it upon themselves to castigate you.

I will not beg to take down anybody's remarks made against me, but I will look for some of the hardest things to tell them and I will not withdraw them afterwards. If you ask me to withdraw them I may have to do so reluctantly. I have no desire to refer to any hon. member first; but I do not care who the hon. member is, if he insults me I will jump up and look for the worst thing I can say about him and say it. I do not mean that to the lady member because we are too friendly. [laughter]. [A MEMBER: Her husband is behind you.] If her husband is behind me I do not mind; if his mind is not fully emancipated at this stage then it is a matter for him! I should like to say this: if it is a question of letting by-gones be by-gones then let it be so; and if it is so, let us say as men that we have had our differences; let us say it in such a way that we will forget them.

Mr. E. K. WALCOTT: I shall try to be as short as possible. I was not present at the time

when the incident was dealt with last week, and therefore I have had, like the hon. junior member for the City, to rely on reports and listen to members who have related their accounts of what has happened. This motion which the hon. junior member for Christ Church has brought was brought by us out of a sense of justice, because if there has been an appeal that we should try and conduct our parliamentary business far away from Party matters, this is the one instance in which we should bring our higher characteristics to bear and try and do that which is right.

If we come to the conclusion on the evidence which we have before us that, in truth and in fact the Rules were not observed and a member of the House was suspended from the service of the House in that way, the least that we could do is to rescind the motion; which does not mean that we have dealt with the merits of the case, but that we have dealt with it in the right way. We are less than men if we are not prepared in the circumstances to do something such as that.

If there is one good thing which has come out of the debate, it is the attitude which has been adopted by Your Honour (*Cheers*) and if we follow this example and deal with the matter on the same high plane and admit that we have made mistakes, we would have no hesitation in passing the motion. We have made a slip and the record shows it.

12.15 a.m.

As I have said, if on the other hand, we are going to adopt the idea that because the Chairman of Committees belongs to the Government's Party therefore what he did must be backed up by his Party, then I say our future is not rosy.

There is much evidence and overwhelming evidence to the contrary; there is Your Honour in the Chair supplying evidence on the subject to confirm the record and in the face of that it is a difficult matter to see how one can avoid confusion. The Committee went wrong and you have supplied us with evidence which was corroborated by the record.

Let us look at this matter in a different light. Suppose the time may come when some member, (perhaps sitting on that side of the Table) might find himself among the minority, and it did happen, he might make some remark which Your Honour sitting in the Chair might interpret as unparliamentary, or something which he should withdraw; can they on that side of the Table realise that it would be most unfair in that they should take advantage (because they are in the majority) of an irregularity to later on carry through with a suspension which has proved and proved conclusively to have taken place.

If the Reporters had substantiated the statements which were made by some of those members on the Other Side we would have never heard the words used that their work was disgraceful. We would have been told, as we would have expected to have been told, if your recollection is different to mine, let us call the Reporter and see what he says.

Now, Sir, we have cleared up one point: that the matter was not brought in as a surprise. The three of us in our Party when we saw that an apparent irregularity had been committed, agreed that before anything was put before this House either by our Leader or the hon. senior member for the City that we should mention it to you that we thought this procedure a great irregularity. After that we asked for evidence to see whether it would support it or not. It was only after that, that we

came to the conclusion that we should ask the House to deal with it on this basis.

What I am saying to-night may be hopeless, but we should not let it go forth to the world that morally we are not prepared even when we have such overwhelming evidence as has been put before us, and even when our Speaker has told us "I do not mind telling the world that I made a mistake", that members of the House refused to follow his good example. We should let it appear that we do not condone the use of words which are not suitable for Parliament, but that we are not prepared to pass over our own inaccuracy and irregularity when we know that it is so.

Do you realise, sir, that whenever we offend, this side of the House has complete confidence in your ruling? We would have hesitated to bring a motion.

Whether we win or lose the great thing about this is that we have proved to all good men and true and thinking persons that the Speaker of this House has been man enough to stand up and put his recollection of the story before the House; and that recollection is as accurate as we claim it to be. It has been borne out by the record before us which if you take the opportunity to peruse, would show that Rule 131 was never carried out. Therefore, sir, we should be men enough to get entirely away from Party in our consideration of this matter.

I think many of us can never complain. We have obeyed your rulings and have always attempted to obey your rulings even when we thought them wrong. We have had the satisfaction that the Speaker who has been chosen by the House, (at any rate in this matter and as we expect he would in no case, have done otherwise) has fulfilled our hopes by giving us justice to remedy the ill which we thought should have been done.

When you examine the record by the Reporters, when you examine your recollection of the matter and when you listen to the other members who have spoken from their knowledge of what took place, when you use your own Clerk's words, it will be found conclusively that an irregularity took place; and this does not cast any reflection on the Chairman of Committees, because he must know as we all know that he does make a mistake sometimes as any other man is liable to make at some time or the other. If it is his recollection that he ordered something to be taken down you will remember that the speeches, even of those hon. members of the other side, do not bear out the statement that he ordered that the words be taken down. I say that without any hesitation.

Hon. M. E. COX: Mr. Speaker, I rise on a point of Order. I made it crystal clear when I was speaking that the Chairman directed that the words be taken down and that the Acting Deputy Clerk wrote down those words and then crossed them with his pen. The hon. senior member for St. Andrew also made that point quite clear as well as the Chairman.

Mr. SPEAKER: I will tell this House again that the Acting Deputy Clerk told me that he had the impression that as the Chairman did not direct the words to be taken down he expunged it from the record. I am nothing to do with the merits or demerits of whether the Chairman did direct or did not direct. I am just interested in the report made to me by my Deputy Clerk.

Mr. E. K. WALCOTT: Mr. Speaker, I would refer to the words taken down by the Reporters which bear out what the Acting Deputy Clerk says clearly.

This report which was brought in by the hon. junior member for the City bears out that point clearly. I hope that it will not be altered now because we have used it as a record. On the first page of the report, you will see this:

The hon. senior member for St. Joseph says:—

“I object to the use of those words. They accuse me of a criminal offence, and I call on the hon. member to withdraw them.”

The hon. junior member for St. Lucy says:—

“Mr. Chairman, I cannot withdraw them.”

The hon. senior member for St. Joseph then says:— “Then, Mr. Chairman, in that case I shall have to call on the Speaker. I wish to ask that the words be taken down. The hon. member has accused me of the electoral offence of intimidating voters. That is a most serious charge.”

The hon. junior member for St. Lucy: “Mr. Chairman, on a point of Order, I have not said such a thing. Mr. Chairman, will you be willing to hear me further?”

The Chairman then says in reply to the hon. member: “The hon. senior member for St. Joseph makes objection to your words, I can only report the matter to the Speaker.”

Mr. Chairman, then reported to Your Honour who took the Chair.

12.25 a.m.

Mr. Speaker, according to the Report, said: “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 a chance to explain himself or to make an apology; but before doing so I am going to have the whole report put before me.”

The Report continues as follows: “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 Elections, 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 the polling booths browbeating or intimidating either by word or frown”——

A voice says: “what was said was the word ‘gesture’ ”.

Mr. Speaker then says: “I think the honourable member would have to give an explanation or an apology to those remarks.”

And the honourable junior member for St. Lucy says: “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 the people showed their weakness and partiality in a way which was most striking, by letting unauthorised persons, that is, persons who were not voters nor agents, to enter into polling stations and booths to intimidate and render uncomfortable, voters. 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 my

self 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 then says: “Objection has been taken against the word ‘intimidate’. That word is not unparliamentary, but the honourable 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 honourable member to withdraw the word ‘intimidate’. By law it is an offence, to do so.

And the honourable junior member for St. Lucy replies as follows:—

“Mr. Speaker, my use of the word ‘intimidate’ had no specific reference to the honourable senior member for St. Joseph.

Mr. Speaker then says: “Has the honourable member said that when he used the word ‘intimidate’ he was making no reference to the honourable senior member for St. Joseph? Now, I do not want any qualifications whatsoever in your answer; no big reference, no small reference; I simply want the answer ‘no reference’ ”.

To that the honourable junior member for St. Lucy replies: “Yes, no reference.”

I have been surprised to hear even certain honourable members say that the honourable junior member for St. Lucy said “no reference”. There is no doubt that is in the record. He was asked to withdraw any reference to that, and at the time the Hon. Premier was perfectly satisfied. Well, any way he said he hoped it would not happen again.

Hon. G. H. ADAMS: On a point of explanation. I meant that I hoped it would not happen again that the Speaker would say he had been satisfied, when he meant that the House was satisfied.

Mr. SPEAKER: I must speak again. I said if the House was not satisfied the House will act, and the House did act.

Mr. E. K. WALCOTT: Now tonight we are told that the Chairman did not make a slip; that the Reporters’ work is wrong; and everybody and everything is wrong and everybody’s work is disgraceful. Where a person is wrong, shorthand or no shorthand, he is wrong. Wherever memory has so proved that they were right, they have backed it up; otherwise they say that somebody did make a mistake.

We do not want to preach. If those who are the leaders want to do something, let them start preaching and acting. Let them rise and say that the injustice did not arise.

The honourable junior member for St. Lucy does not belong to this small party over here; he is nothing to do with this Party. But perhaps we had better not go into that, because we may get a lot of remarks by the honourable junior member for St. Peter and all that this does is to engender bad feeling.

You are prepared to accept that the procedure was wrong; but they conclude that your word and other people’s words are wrong. Standing against that only, are the thoughts and memories of the people on the other side of the table.

12.35 a.m.

If ever there is a case of mistaken loyalty, it would be seen in these circumstances. Unpleasant as it is, we are bound to make this motion so that the position could be explained to the House. The Rules

are strict, as Your Honour knows, and the very next Rule to Rule 131 says:—

“Every such objection is to be taken at a time when such words are used and not after any other member has spoken.”

There is a Rule of the House of Commons which says that the words cannot be taken down then. If you are bound by that strictly and to the point, you should be prepared to say what we are prepared to say; and it is that we are not pretending to condone the use of any such words if the Speaker is going to hold that they should not be used. But on the other hand, if we fail to observe the Rule the least we can do is to be men enough to say: “Well we had a good case, but we did not do it in the right way.”

Mr. GODDARD: Mr. Speaker, I am asking permission to speak again in view of the fact that honourable members have spoken after I have replied.

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

Mr. GODDARD: It gives us no pleasure on this side to have to listen to what took place. As the honourable junior member for St. James has said, we as a Party in this House (my colleague on my left and I) have been sitting here and we tried to help the situation; we always try to assist in any matter. I have a duty to perform and as long as I am in public life I shall do it to the best of my ability. I am not going to push any motion and I am not going to do things just for the purpose of pleasing certain people; but I wish to explain why we voted as we did: it was to uphold the Chair.

We felt that by your attitude in the Chair when you turned to say something to the Chairman of Committees, that you were satisfied with the explanation which had been given. We felt that we were upholding the Chair. On those grounds the honourable senior member for the City and myself voted as we did. We tried to help the situation and if we had to vote again we would vote the same way.

The question that the vote of the House to suspend the honourable junior member for St. Lucy from the service of the House for two weeks be rescinded was put and resolved in the negative, the House dividing as follows:—

Ayes: MESSRS. LEWIS, BRANCKER, CRAWFORD, E. K. WALCOTT, GODDARD and E. D. MOTTLEY—(6).

Noes: Mr. SMITH, Hon. G. H. ADAMS, Hon. R. G. MAPP, Hon. M. E. COX, Hon. C. E. TALMA, Hon. Dr. H. G. H. CUMMINS, Mrs. BOURNE, MESSRS. HOLDER, BRYAN, J. C. MOTTLEY and MILLER—11.

ADJOURNMENT

Hon. Dr. H. G. H. CUMMINS: Before fixing the Order Paper, I want to say that it is proposed that we meet on Thursday. The reason for that is that we want to get through a certain amount of work in order that we may take a summer adjournment in a short while. The Order Paper will remain as it is. I beg to move that this House do now adjourn until Thursday at 3 o'clock p.m.

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

Mr. E. D. MOTTLEY: I beg to move that we adjourn until Tuesday next the 19th instant at 12 o'clock noon. You bring people in here at 3 o'clock, you work until one o'clock a.m., and then you talk about the debates being disgraceful.

The normal day's work would be from what time? You come in here at three o'clock, you sit until 12.45 a.m. to be more exact, and then talk about a summer adjournment. To me that is merely a sign of weakness, because the Premier has to go away what does

that matter? Nobody is foolish enough to vote against the business of the colony going on if the Premier has to go away; we are ready to deal with the Bill which has been introduced by the Minister of Agriculture, Lands and Fisheries. It is common knowledge that the Premier has to go away; it is so much nonsense therefore to tell people that if the Premier has to go away that would interfere with the business of the country. Both the Premier and the Minister of Social Services were out of the island at one time and we did business in this House.

12.45 a.m.

The trouble, Mr. Speaker is that members would walk out of here and say: “You need not come back on Thursday.” I realise that you may talk as much as you like but the members who are bound and who depend on this Chamber for their existence are going to come; but I am going to make an amendment to the motion—

Hon. G. H. ADAMS: I entirely agree with the hon. senior member for the City. Why should it be said that my going away should have anything to do with the meeting of the House? How often have we said that we want to get some important things done before prorogation; how many times have we said that we ought to have an Easter recess and nobody should be called to sit in the month of August nor in the month of December. I say: if the Ministers cannot go on without me. God help them, I should have gone away three weeks ago; it is a pure accident that I am still here.

Mr. E. D. MOTTLEY: Mr. Speaker, my motion is that this House be now adjourned until Tuesday next, 19th July, at 12 (noon).

Mr. GODDARD: I beg to second that.

U.S.I.S. BOOK CASE

Mr. LEWIS: I am going to take opportunity on this motion for the adjournment to make an enquiry of you, sir. During the course of my going around the House this afternoon and going into the Lobby, I saw an information booth established in there with the lettering “Courtesy of U.S.I.S.” The initials I have been told stand for “United States Information Service.” I do think that if such specific service is to be rendered by a booth in this House that members should have been told about it. If you have given permission, I take it that you have done it in good faith.

Mr. Speaker, I know that I can make those remarks to you because you will say why you did it and you mean no insult to the House. You took the opportunity to consult the House before giving your consent to allow some members of the Civil Service to sit in some place which they are not entitled to sit.

What I want to say is that you may find yourself in the difficulty of other nations asking that their information booths be placed in the Lobby of the House, and I would like to know how the House could possibly refuse them. Let us read whatever we like or what they send us, but why exhibit it in the Lobby in a booth which may be specifically for the purpose of propaganda? I may say that I do not agree with it. There are some members of this House if the United States Consul were to send in here anything which, if when they touch it, it will burn them up, will not say anything about it. If the Americans want to put books in here, and the Russians want to put books also, let the Russians put them. You can even invite France to send some too. But let them put these books on the common table.

Of course, I must say that it is a very nicely displayed booth, but I hope they will not object to putting other literature on it; neither do I think they should put propaganda on it.

Sir, I am convinced that you gave permission for it to be put there with the best intention; and no doubt, the display has added a little colour in an otherwise drab room, and I am even inclined to accept it on that score. However, I do not like the idea of giving any foreign nation such facilities. They should not think that because they have some right to military bases in these parts that they have any liberty whatsoever to go wherever they like and put in these things.

We already allowed them to walk around without passports and so on; now they are coming to poke their propaganda down our throats. I am willing to accept their gifts and their literature but let us put what they send with all our other literature. If you are going to put up a booth for them, put up a booth for everybody else.

Mr. SPEAKER: Let me say that information reached me from the Secretary of the House that the American Consul was desirous of serving us with certain periodicals. I thought it was quite a harmless idea and the magazines have been coming here for some time now. They include "Time" "Life", "The Christian Science Monitor" and other American periodicals.

However, this morning as I entered the Lobby, I saw the rack on which is headed "Courtesy of U.S.I.S." which I was given to understand meant "Courtesy of the United States Information Ser-

vice" and I had the same unhealthy reaction to it as the hon. junior member for the City. Honestly, I do not entirely agree with the idea of the heading. If we have to advertise that inscription in order to get their periodicals, I really do not like it.

The question that the House do now adjourn until Tuesday next, 19th July, at 12 (noon) was put and resolved in the negative, the House dividing as follows:—

Ayes: Mr. LEWIS, Mr. CRAWFORD, Mr. J. C. MOTTLEY, Mr. E. D. MOTTLEY, Mr. E. K. WALCOTT and Mr. GODDARD.—6.

Noes: Mr. SMITH, Hon. G. H. ADAMS, Hon. Dr. H. G. H. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. R. G. MAPP, Mrs. BOURNE, Mr. HOLDER and Mr. BRYAN.—9.

The question that the House do now adjourn until Thursday, 14th July, 1955, was then put and resolved in the affirmative on the declaration of Mr. Speaker, "I think the 'Ayes' have it."

Mr. Speaker adjourned the House accordingly. 1.00 a.m.

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ERRATUM

In Debates of June 28, 1955 on page 1159 delete from line 3 in column 1 to line 2 in column 2.