

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954—55

HOUSE OF ASSEMBLY

Thursday, 23rd June, 1955.

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

PRESENT

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

Prayers were read.

Mr. BARROW entered the House and took his seat.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the 26th April, 1955 have been printed and circulated amongst hon. members. Unless there is any objection these Minutes will be taken as read and confirmed.

There being no objection the Minutes were taken as read and confirmed.

CLERK GRANTED ADDITIONAL LEAVE

Mr. SPEAKER: I have the honour to inform the House of a letter received from the Clerk of the House asking for extension of leave until 31st July, 1955, in accordance with the Medical Certificate attached and stating that Mr. D. A. Banfield has kindly consented to continue to act as Deputy Clerk.

Hon. Dr. CUMMINS: Mr. Speaker, in connection with the letter which you have just read, I beg to move that six weeks extension leave be granted to the Clerk of the House. [A VOICE: Four weeks not six.]

Mr. Speaker, I am sorry, I beg to withdraw that. I thought I heard six weeks mentioned in the letter.

Mr. SPEAKER: Yes, the letter does say six weeks, but you will make the motion for leave to the 31st July.

Hon. Dr. CUMMINS: Mr. Speaker, I beg to move that leave be granted to the Clerk until the 31st July, 1955.

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

The question was put and agreed to.

MEETING OF THE HOUSE

Mr. LEWIS: Mr. Speaker, before we enter upon the business of the day, I think it is wise that I should draw your attention to the fact that not all honourable members of this House are aware that a meeting is being held to-day. While I am not laying any blame, I think that in similar circumstances some effort should be made to inform honourable members of this House of any unusual meeting of the House. There are members who know

‘Aap-oj xopio o aaryj te suipæm e jo suipjou

Mr. VAUGHAN: Mr. Speaker, I beg to associate myself with those remarks of the honourable junior member for the City. I who live so near only saw that there would be a meeting of the House when I read the newspaper this morning. Somebody asked me whether there was not a meeting of the House to-day and I replied that it might be so. I then looked into the *Advocate* and saw it.

Many of us go away from the House before the end of the meeting and unless we are told specially, we assume that there will be no meeting until the following Tuesday. I suggest that honourable members should be given notice under such circumstances.

Mr. SPEAKER: While I appreciate what honourable members say, I must also point out all the difficulties with which the office is confronted when the House adjourns at mid-night. The Order Paper has to be prepared by the *Advocate* on the following morning and it is not possible to catch the mail with the Order Papers. That is the normal procedure. The daily newspaper is therefore the only means under such circumstances of informing honourable members. It is no fault of the administration at all.

Mr. LEWIS: Mr. Speaker, if you will permit me, I would say that there must be a way of getting around this question of informing honourable members in these particular circumstances. A telephone message could probably help. Perhaps this could

be done through the Clerk or some other Officer of the House. Notwithstanding putting a notice in the newspaper I believe that if an effort was made something could be done.

Mr. SPEAKER: It is not possible for a meeting like this. The first Order of the Day is to resume Committee on the Bill to make provision with respect to the Housing of persons of the working classes and other classes and for purposes connected therewith.

HOUSING BILL

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

Mr. CHAIRMAN: On the last occasion Clause 8 was under consideration.

Mr. LEWIS: Mr. Chairman, I should like just to add a few words to what has already been said and it is this: many honourable members do not feel that the word "Governor" in sub-clause 1 was a printer's error; they feel that it was purposely done and there is nothing to show that the Governor-in-Executive Committee had agreed on any change. We have often been told that suggested changes have to be taken back to the Executive, and I should like to hear today whether this procedure has been observed on this occasion.

Hon. M. E. COX: Mr. Speaker, we have again discussed this matter. It was told to me that it was proper to insert the words "Governor-in-Executive Committee" instead of "Governor."

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

3.25 p.m.

Clause 9 was called.

Hon. M. E. COX: There is a grammatical error in lines three and four of this Clause and I want to make two slight amendments there. The first amendment is that the word "Orders" be deleted and the word "order" substituted therefor; and that the word "has" be deleted and the word "have" be substituted therefor. I am asking leave to make those amendments.

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

Hon. M. E. COX: I beg to move that Clause 9 as amended stand part of the Bill.

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

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

Clause 10 was called.

Hon. M. E. COX: I beg to move that Clause 10 stand part of the Bill.

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

Mr. LEWIS: This Clause is worrying me a bit. Can this Housing Authority appoint a Committee solely of outsiders? It is not mentioned here, but I would like an expression of opinion on reading that "the Authority may appoint a Committee for any of the purposes of the Authority....." It does appear to me that this Authority can appoint a Committee entirely outside itself; it may not do that, but it has the power to do it. I am not happy about that at all. I should like to know whether the Hon. Minister has considered the matter from that angle and what is his opinion about it.

Hon. M. E. COX: While it is true that the Clause states that the Board may delegate certain powers to a Committee, those powers if delegated would have to be carried out in accordance with the

policy and principle of the Board. I do not think this provision is as general as it might appear to be; rather it is confined for example to persons who may be knowledgeable on certain matters more so than members of the Board. The Board will be given that authority to get together and go into the aspects of anything which is considered for the proper functioning; but the Committee cannot go outside the policy of the Board.

Mr. LEWIS: Appointing a Committee for any of the purposes of the Housing Authority seems to be very wide to me. As a safeguard I think the Committee should have at least a member of the Authority. Lots of information can be had from the sittings of the Committee on an actual investigation rather than from a dry report. The honourable member has had reports made to him and he has been on Committees which formulate reports. If I were in charge of this Bill, I would say that at least one member of the Authority should be put on this Committee according to the law. You would not appoint a Committee of persons who know nothing of the purpose of the appointment, but the presence of somebody who is directly responsible to the Housing Authority is important.

I do not think that this Clause should be put as wide as this, I do not think you should take up the most knowledgeable persons in the world who do not desire even to apply their commonsense to such things and put them on the Committee. I repeat I think the Committee should have at least one member of the Authority on it. It would be quite an easy thing to get that provision inserted in Sub-clause 2 of this Clause. It should read that this Committee should consist of one member of the Authority.

Hon. M. E. COX: I do not think the hon. member need fear anything. Since this Board will be set up according to the law this Board will be given directions as to what the Government's policy is. When the Bill was first drafted reference was made to the Executive Committee in almost every Clause of the Bill. We went into the matter carefully and we found that it was unnecessary to insert the words "Executive Committee" in so many Clauses, and we decided that we could get around the matter by laying down the policy and passing it on to the Authority. In this case I think we can allow this Clause to remain as it is. Instructions along this line will also be inserted in our policy.

The question that Clause 10 stand part of the Bill was put and resolved in the affirmative without division.

Clause 11 was called.

Hon. M. E. COX: I beg to move that Clause 11 stand part of the Bill.

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

Mr. LEWIS: If you look at the beginning or Sub-Clause (6) you will see that there is a mistake there. I do not think that the word "Acts" should have been spelt with a capital "A". I have only drawn that to the attention of the Hon. Minister because we might have this Bill sent back here with this correction. I should also like to draw to the Hon. Minister's attention that this is a corporate body and if it were a company, it would have to have a registered office. I do not like the meetings of this Authority being held anywhere at all. It says in Sub-Clause (1) that "The Authority shall meet at least once a month for the transaction of general business at such time and place and on such days as the Authority may determine."

3.35 p.m.

I think that at least those meetings should be called on a Saturday morning. I do not think the

Authority should have the authority to pull members out any times. We complain against Vestries doing this kind of thing these days, and while it may be done with the best intention in the world, somebody might say that it is inconvenient. I do not like it as it is; but if the Minister feels it is alright then let it remain as it is. It is little matters like these that count. I feel that a Saturday morning should be alright and the meeting should take place at a particular place where everybody would know. This Authority is one for all over the island, and it seems to me that when there is a general meeting somebody should know where it is taking place; it should even be confined to a particular day.

Hon. M. E. COX: I do agree that the Clause is a bit general. It is the intention of the Government to build offices for the administration of this Authority and no doubt then there will be a room for meetings. While it is true that the Section is a bit general, I want to assure the hon. member that provisions will be made for space to hold meetings of the Board on the premises where the Housing Authority is administered.

The question that Clause 11, stand part was put and resolved in the affirmative without division.

Clause 12—was called and passed.

Clause 13—was called. It reads as follows:—

"(1) The Authority shall keep proper accounts and adequate financial and other records in relation thereto and shall prepare statement of accounts in respect of each financial year.

(2) The Accounts of the Authority shall as soon as may be after the end of each financial year be audited by the Auditor General who shall make a record thereon to the Governor-in-Executive Committee and to the Authority.

(3) As soon as may be thereafter, the Authority shall forward to the Governor-in-Executive Committee a copy of the statement of accounts with the report of the Auditor General attached."

Hon. M. E. COX: Mr. Chairman, I am asking leave to delete the word "records" which appears in line three of sub-section two and to substitute the word "report" in its place. I think that is a printer's error because the draft has the word "report."

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

Hon. M. E. COX: I beg to move that Clause 13, as amended stand part.

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

Mr. LEWIS: I would like to draw hon. members' attention to something which I think should be done. I have been continually asking for a little more consideration for the Legislature. We have here as subclauses to this section (2), (3) and (4). Sub-Clause 2, says, "The accounts of the Authority shall as soon as may be after the end of each financial year be audited by the Auditor General, who shall make a report thereon to the Governor-in-Executive Committee and to the Authority."

I believe the persons concerned would interpret it in that way and do it as quickly as possible. Sub-Clause three uses the same words, "as soon as may be" thereafter. There is another point to that. It seems to me that when the Executive Committee wants something they say to do it as quickly as possible, but let us turn to sub-clause four and see what that says. It is worded as follows:—

"Copies of every such statement and report shall be laid before both Houses of the Legislature."

That may mean in fifteen years time, ten years, or any time at all. [A VOICE: Oh no!] That is the reason why it is all the more necessary that it should be worded differently. They say as quickly as possible

in sub-clause 2, when it comes to something for themselves, but when it comes to something for the Legislature they do not say that. I suppose that the object is to lay the report in the Legislature after it has been received by them.

Hon. M. E. COX: If the hon. member would look a bit lower down in Clause 14, he will see that the report is to be ready and submitted to the Governor-in-Executive Committee not later than six months after the end of each financial year and that the report should be laid before both Houses of the Legislature as soon as possible thereafter. Section 14 covers that point.

Mr. LEWIS: That is something different. I would suggest that the words "As soon as may be thereafter" be inserted in sub-clause (4) at the end of it because that is for the accounts while Section 14 is for a report of the activities of the Authority. I beg to move that the words "as soon as may be thereafter" be inserted at the end of sub-clause (4).

Hon. M. E. COX: Mr. Chairman, it has not been seconded but I will accept it.

The question that Clause 13 as amended stand part was put and resolved in the affirmative without division.

Clause 14 was called and passed.

Clause 15 was called and passed.

3.45 p.m.

Clause 16 — was called.

Hon. M. E. COX: I beg to move that Clause 16 stand part.

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

Mr. LEWIS: Mr. Chairman, in paragraph (b) of sub-clause 1 it says: "such amounts from the Labour Welfare Fund established under the Sugar Industry (Rehabilitation, Price Stabilisation and Labour Welfare) Act, 1947, and at such times as may be requisite to enable the Authority to carry out such purposes."

I take it that this is generally for purposes of the Authority. But Mr. Chairman, it struck me when reading that, that the Labour Welfare Loans are more or less for specific purposes. However, it does not say so here now. Under the same Head — Finances and Property of the Housing Authority, we find a similar phrase in paragraph (a) of sub-clause 1. It reads as follows: "To carry out such purposes."

Is that the purpose of the Act? I think that the purposes for which that money should be used are found in some Regulations or other. I am asking the hon. member to read it and tell me whether it is not that these Labour Welfare Funds will be given to the Authority. Does it mean that the purposes for which the money from the Labour Welfare fund is given to them makes it improper for them to use it in any general way?

Hon. M. E. COX: Mr. Chairman, I should like to erase all the doubt in the mind of the hon. member that this Labour Welfare money can be used for any purposes other than those for which it was originally intended. If he would look at the second Schedule to the Bill he would see that it is there set out in conformity with Section 17, and it is repeated in the old Labour Welfare Regulations. Of this \$1 million a year for new houses \$5,000 will be drawn from Labour Welfare and five hundred thousand from the Government. This has been done with the express purpose of keeping the Labour Welfare Fund for people working in the sugar industry only. As you will see money for the Civil Servants will also be charged to this Authority; but this will also be kept separate. This does not mean in any way that these funds from Labour Welfare can be spent

on any project other than those directly concerned with Labour Welfare.

The question that Clause 16 stand part of the Bill was put and resolved in the affirmative without division.

Clause 17 was called. It reads as follows:—

17. (1) Upon such date as the Governor-in-Executive may appoint by notice in the Official Gazette (in this Act referred to as "the vesting date") subject as hereinafter provided, there shall vest in the Authority by virtue of this Act and without further assurance—

- (a) All properties, rights, liabilities and obligations of whatsoever nature which immediately before the vesting date were properties, rights, liabilities and obligations of the Housing Board;
- (b) All properties, rights, liabilities and obligations of whatsoever nature which immediately before the vesting date were the properties, rights, liabilities and obligations of the Governor-in-Executive Committee in pursuance of loans granted, or otherwise acquired or incurred under, or otherwise in pursuance of, or for carrying out the purposes of, the Labour Welfare Fund (Housing Loans) Regulations, 1950, including any monies standing at that date to the credit of the Labour Welfare Housing Loans Fund and any lands and hereditaments acquired for such purposes;
- (c) All properties, rights, liabilities and obligations of whatsoever nature which immediately before the vesting date were the properties, rights, liabilities and obligations of the Governor-in-Executive Committee or of Executive Committee acquired or incurred in any manner in connection with the housing schemes set out in the First Schedule to this Act including all lands and hereditaments used or set aside for use in connection with any of such housing schemes whether or not actually acquired in connection with such scheme and whether or not at the vesting date such land or any part thereof has been sold, leased or let or otherwise put to use in connection with such scheme.

Provided that, in the case of the housing schemes set out in Part II of such Schedule, nothing in this section contained shall affect any land and hereditaments set out and described in Part II aforesaid.

(2) Nothing in this Act contained shall vest in the Authority, or affect in any manner whatsoever, any right, liability or obligation acquired or incurred by the Governor-in-Executive Committee or any other person as a result of any loans raised by the Governor-in-Executive Committee or under any debenture stock, or other security issued to secure repayment of any such loan or part thereof.

(3) Notwithstanding any other provision in this Act contained, any property, right, liability or obligation which vests in the Authority by virtue of the provisions of paragraph (b) of sub-section (1) of this Section shall be administered and dealt with by the Authority subject to and in accordance with the rules set out in the Second Schedule to this Act and any rules modifying or varying such first mentioned rules made under the powers in that behalf in Section fifty-three of this Act.

Hon. M. E. COX: Mr. Chairman, there seems to be some mistake in Paragraph (b) four lines before the last it reads as follows:—

"....including any monies standing at that to

the credit of the Labour Welfare Housing Loans Fund....."

I think the phrase should read "at that date to the credit of the Labour Welfare (Housing Loan) Funds."

After the word "that" I wish to ask leave to insert the word "date".

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

Hon. M. E. COX: I beg to move that Clause 17 stand part.

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

Mr. LEWIS: Mr. Chairman, I should like a little explanation so that I would be able to know what sub-clause 2 means. The words to which I refer read as follows:—

"....any right of, liability or obligation acquired or incurred by the Governor-in-Executive or any other person as a result of loans raised by the Governor-in-Executive Committee or under any debenture, stock, or other security issued to secure repayment of any such loan or part thereof."

I suppose that is just plain legal phraseology; but if he can tell me what that means I should be glad to know. It is really complicated to me.

Hon. M. E. COX: As the hon. junior member for the City said, it is legal phraseology and I cannot help him.

The question that Clause 17 as amended stand part was put and resolved in the affirmative without division.

It reads as follows: The Authority may, subject to the provisions of this Act, make use of its property and funds in such manner as it may deem expedient for carrying out the purposes of this Act and, in particular and without prejudice to the generality of the foregoing provisions the funds of the Authority may, subject as aforesaid be applied towards:—

- (a) the payment of the cost of acquisition of any land or building authorised to be acquired;
- (b) the payment of all insurance, rates, taxes and other statutory claims on any land or buildings acquired;
- (c) the payment of all expenses authorised by this Act;
- (d) the creation of such reserve fund as the Authority may in their discretion consider sufficient;
- (e) the payment of interest on loans and the repayment of such loans;
- (f) the assistance of persons of the working classes to erect dwelling houses on land the property of any such person, or let or leased to any such person for such purpose;
- (g) the making of advances as authorised by this Act;
- (h) any other purpose approved by the Governor-in-Executive Committee;
- (i) generally in and towards the purposes of the Authority under this Act.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 18 stand part.

2.55 p.m.

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

Mr. LEWIS: Mr. Chairman, in reading Clause 18 I was struck by mention of the words "creation of such reserve fund" as being one of the purposes towards which the funds of the Authority shall be applied. It will be found in paragraph (d) of Clause 18 which reads as follows:—

"(d) the creation of such reserve fund as the Authority may in their discretion consider sufficient;"

Mr. Chairman, I do not like the idea of setting up an Authority like this with a reserve fund. I do not like the words "reserve fund". I think that they should spend the money which is given to them and keep it revolving; and any surplus which at any time they should find themselves in possession of should be handed back to the Government or paid into the Treasury; because they are really not going to buy out all these assets and properties for which they are going to receive loans. I do not know if the hon. member envisages a time when there will be a reserve fund; but, so far as I am concerned, I do not like the idea of these Authorities in the face of the crying needs of the people setting up a reserve fund. I should like these funds to be used and let the Government continue to give generously, so long as proper use is made of them. I do not know what the liabilities will be when any pensions are going to be paid out of funds of the Authority; but in general I do not like the creation of reserve funds by these Authorities at all. Let them, I repeat, use the money that is given to them for the purposes mentioned in the Bill; use it as a revolving fund for the assistance of the people whom they intend to assist. The needs are really too great for me to read into a Bill like this the need for the creation of a reserve fund. Though these words are there already, I do hope that the Authority will not worry to read them in.

If there is to be a reserve it means that they will have a little more money that they can spend in a year or so; but I cannot imagine any Authority building up a reserve when there is a present demand and the need for improving housing and helping people to own and build houses. I do not think that that should happen; that would not be the Development's policy either.

There would be no point in building up a reserve when you have so many applications for houses to cope with.

The question that Clause 18 — stand part was put and resolved in the affirmative without division.
3.55 p.m.

Clause 19 was called.

Hon. M. E. COX: I beg to move that Clause 19 stand part of the Bill.

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

Mr. LEWIS: There is just a little quibble about this Clause; it starts with the words "All moneys" and ends with the words "Such moneys". I am not happy about that phrasing.

The question that Clause 19 stand part of the Bill was put and resolved in the affirmative without division.

Clause 20 was called.

Hon. M. E. COX: I beg to move that Clause 20 stand part.

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

Mr. LEWIS: During the debate on the second reading of this Bill, some honourable member asked the question about the repair, etc. of factories being mentioned in this Bill; if attention has been paid to this question we can hear about it today. If the Hon. Minister would look at paragraph (a) of this Clause he would see that these things are for the benefit of the working classes and other persons. If this Bill is for the rehousing of persons of the working classes and other classes, I would like some consistency in the matter.

Again I would like to draw this to the attention of the honourable member. In indicating these sub-

paragraphs they use (f), (g), (h); and (i) is usually left out. They do not usually use (i) because it gets them in trouble. They have used it here and it has got them in trouble. When you come to sub-paragraph nine you have two (i's) one of which is used for the first sub-paragraph. I suggest to the honourable member that he can overcome the difficulty quite easily by skipping from (h) to (j); the Other Place will be very severe on these little mistakes which we send up there.

Hon. G. H. ADAMS: What has happened is that (i) coming after (h) is in the same type which is used for sub-paragraph (1). It is only a question of using the correct type.

Mr. LEWIS: The alphabet part of this Clause is indicated in letters and this (i) is a common (i). I have seen this kind of thing before and they get over it very easily by skipping from (h) to (j). Here you have the main paragraph (i) and the sub-paragraph begins with the same thing.

Hon. G. H. ADAMS: It is not necessary to waste time on that. Nearly every Stenographer in this island uses the (I) for the figure one. They have used the same "case", as the printers call it, for (1) as they have used for (i). All you have to do is to draw the matter to the attention of the Printers.

Mr. LEWIS: I have no intention of delaying this matter, but I have offered a suggestion; it may be a stupid one, but you will get over the difficulty in that way. I am not here to report this matter to the *Advocate* either. I have seen the Other Place send back Bills here merely for the use of a comma.

Hon. M. E. COX: I suggest that instead of using the Roman letters we use the ordinary letters.
4.05 p.m.

Mr. LEWIS: Mr. Chairman, in view of what I said about the reserve fund, I see in (k): "place on deposit at interest or invest any money (whether consisting of capital or income) at any time at the disposal of the Authority." I see nothing wrong about that if you invest it in land for the building of houses, but I know that section does not mean that. I am saying this Authority should have sufficient money for its running expenses and other purposes and I would not like the Authority to invest one cent for the purpose of purchasing property or for the construction of buildings for other purposes as authorised by this Act.

The question that Clause 20 as amended stand part was put and agreed to.

Clause 21 was called and passed.

Clause 22 was called.

It reads as follows:—

22. (1) The Authority may, make arrangements with a Housing Association or a Local Body for the purpose of enabling the Association or Local Body to—

- (a) provide housing accommodation for members of the Association or persons of the working classes; or
- (b) provide housing accommodation for persons of the working classes displaced by action taken by the Authority under the provisions of this Act for dealing with slum clearance areas or with redevelopment areas or for the demolition of insanitary houses or for the closing of buildings or parts of buildings;
- (c) provide housing accommodation for persons of the working classes for the purpose of the abatement of overcrowding.

- (d) alter, enlarge, repair or improve houses or buildings which, or an interest in which, the Authority have acquired with a view to the provision or improvement of housing accommodation for persons of the working classes.

(2) Arrangements made under sub-section (1) of this section shall include such terms with regard to such matters including where appropriate—

- (a) the types of houses to be provided
(b) the rents at which the houses provided are to be let, and

- (c) the conditions of tenancy,

as may appear to the Authority to be expedient in view of the needs in relation to the housing of the persons for whom the houses are intended.

(3) If a Housing Association or a Local Body represent to the Governor-in-Executive Committee that they have submitted to the Authority proposals for arrangements to be made under this section, and that the Authority have unreasonably refused to make arrangements in accordance with the proposals, the Governor-in-Executive Committee may require the Authority to furnish him with a report as to the matter stating the reasons for its refusal and to make such arrangements as shall be approved of by the Governor-in-Executive Committee.

Hon. M. E. COX: I am asking leave to make the following amendment in the third line of (d), that the word "have" after the word "Authority" be deleted and the word "has" be inserted in its place.

There being no objection leave was granted the honourable member.

Hon. M. E. COX: I beg to move that Clause 22, as amended, stand part.

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

The question was put and agreed to.

Clauses 23, 24, 25, 26, 27, 28 and 29 were called and passed.

Clause 30 was called. It reads as follows:—

(1) "Upon notification to the Authority of the approval of the Governor-in-Executive Committee of any scheme, the Authority shall forthwith publish in the *Official Gazette* and in a local newspaper a notice stating that the scheme has been approved and naming a place where a copy of the plan and particulars thereof may be inspected.

(2) Where, after a scheme has been approved, it appears to the Authority that any land in the area comprised in the approved scheme ought to be re-developed or used otherwise than as indicated in the scheme, the Authority shall prepare and submit for the approval of the Governor-in-Executive Committee a new scheme in respect of that land.

(3) In the following provisions of this Act, references to the redevelopment or use in accordance with a scheme shall be considered as references to a scheme approved under this section, or, in the case of land comprised in a new scheme approved under this section in accordance with the new scheme."

Hon. M. E. COX: Mr. Chairman, there is a slight amendment which I would like to make to sub-clause 1 of this Clause. I am asking leave to delete the word "a" which precedes the word "local" in line four and to make the word "newspaper" the plural by adding "s". I believe that was an oversight because in Section 27, it is stated that you must give notice in all the newspapers. I think it is but fair that you should also give notice in all the newspapers of your approval of a scheme. As it was, you could only give notice in a local newspaper, but the amendment would make it possible to give notice in all local newspapers.

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

Hon. M. E. COX: I beg to move that Clause 30, as amended, stand part.

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

The question was put and agreed to.

4.15 p.m.

Clause 31 was called.

Hon. M. E. COX: I beg to move that Clause 31 stand part.

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

The question that Clause 31 stand part of the Bill was put and resolved in the affirmative without division.

Clause 32 was called.

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

Clause 33 was called and passed.

Clause 34 was called and passed.

Clause 35 was called and passed.

Clause 36 was called and passed.

Clause 37 was called and passed.

Clause 38 was called. It reads as follows:—

38. (1) Where by this Act the Authority is authorised to acquire land or buildings or any interest therein, such acquisition may, subject to the provisions of this Act, be by way of gift or may be effected by private treaty or, subject to the provisions of this Act, be by way of gift or may be effected by private treaty or, subject to the provisions of this section, may be compulsorily acquired in accordance with the provisions of the Land Acquisition Act, 1949.

(2) Any land or building compulsorily acquired under the provisions of the Land Acquisition Act, 1949, for any of the purposes of this Act or of the Authority, shall be deemed to have been acquired for public purposes and all the provisions of such Act shall apply to such acquisition accordingly, except that the notifications referred to in sections three and five of such Act specify that such acquisition is being made pursuant to this section and in such case the land and buildings so acquired shall vest absolutely in the Authority free from all estates, liens and encumbrances.

(3) For the purposes of any such acquisition of a building, references in the Land Acquisition Act, 1949 to land shall be construed as including references to buildings.

39. (1) Any land or buildings, or any interest therein, within a slum clearance area or any part thereof which is or are intended to be acquired by the Authority for the purposes of this Act may be acquired compulsorily at any time after the expiration of twenty-eight days from the first publication of the notice required by subsection (1) of section thirty of this Act.

(2) In the case of land or buildings or any interest therein intended to be acquired by the Authority it shall be the duty of the Authority, within the appropriate period specified in subsection (3) of this section, either to enter into agreements for the purchase of the same, or to decide, by resolution, that the same shall be compulsorily acquired:

Provided that this sub-section shall not apply to land or buildings in respect of which the Authority have, within the appropriate period as aforesaid, made arrangements with other persons for securing the use of the land in accordance with a re-development scheme.

(3) The appropriate period for the purposes of subsection (2) of this section shall be—

- (a) in the case of land shown in the plan for the redevelopment scheme as intended for the provision of houses for persons of the working classes, six months from the date of the first publication of the notice required by subsection (1) of section thirty of this Act;
- (b) In the case of other land in the redevelopment area, two years from that date and in either case such extended period as the Governor-in-Executive Committee may, on the application of the Authority, allow in respect of any land.

Hon. M. E. COX: I beg to move that Clause 38 stand part.

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

Mr. LEWIS: Mr. Chairman, I am wondering whether the time has not come for the Government to consider putting in this: the valuation of land to be in accordance with the Compulsory Acquisition of Land Act. I do not suppose that they could go beyond that now. This method of valuing land as at present obtains needs some attention. The idea of calling land owners who live in the same vicinity where a certain piece of land has to be valued and entrusting to them the responsibility of valuing somebody else's land, is to me very unsatisfactory. I hope that at some future time the Government will get an assessment of the value of sections of the land for various purposes and do it over a period of years; at least for the purposes of the Vestry rates. I understand that a valuation of the land should take place every five years by the Vestries and that under the provisions of these Acts we could do it.

Hon. M. E. COX: Mr. Chairman, I agree with the remarks of the honourable junior member for the City. The present method of valuing land has always been a 'bee in the bonnet' where the sale or acquisition of land is concerned. I regard this as one of the most unsatisfactory arrangements in operation. The present improper method amounts to this, supposing a person has a portion of land for sale, the customary procedure is to summon a few neighbouring land-owners, who may value it at, say, ten cents per square foot. If, on the following day, any or all of those persons proposed to sell their land, they might set the valuation at any price above ten cents. It is, therefore, for such reasons that I have always thought that a more-up-to-date and satisfactory system ought to be devised.

I have in the past suggested that a Government officer should go through the island for a period of about four or five years and value the land. Of course, you will always meet with opposition to that by land owners; but I feel that we should ignore such opposition in favour of devising a better method of valuation; because the present one is really too unsatisfactory.

Often you hear people who have been appointed to value land, saying: you have to give him so much and so much, because the owner would not sell for less.

The question that Clause 38 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 39 to 43 inclusive were called and passed. Clause 44 was called. It reads as follows:—

"(1) The Authority may, with the approval of the Governor-in-Executive Committee, by order extinguish any public right-of-way over any land acquired by the Authority in accordance with the provisions of the Act.

(2) Notice of an order intended to be made under sub-section (1) of this section shall, prior to such approval, be published in the *Official Gazette* and in

all local newspapers at least once in every week for a period of four weeks, and if any objection thereto is made to the Governor-in-Executive Committee before the expiration of six weeks from the date of the first publication thereof, the Governor-in-Executive Committee shall consider such objection before approving the order, and he may, if he thinks fit, cause a public enquiry into the matter to be held.

(3) Any such order when approved shall be published in the *Official Gazette* and shall take effect from the date of such publication or from the date specified in such order."

Hon. M. E. COX: Mr. Chairman, in sub-clause 2 of Clause 44, I am asking leave to delete the letter "a" occurring in line three immediately before the word "local" and that the word "all" be inserted in its place. The phrase should then read "in all local newspapers".

There being no objection leave was granted.

Mr. BARROW: Mr. Chairman, I wonder if other members apart from the members of the Government have scrutinized Clause 44. Sub-clause 1 states:—

"The Authority may, with the approval of the Governor-in-Executive Committee, by order extinguish any public right of way over any land acquired by the Authority in accordance with the provisions of this Act."

And sub-clause 2 says:—

"Notice of an order intended to be made under sub-section (1) of this section shall, prior to such approval, be published in the *Official Gazette* and in all local newspapers at least once in every week for a period of four weeks, and if any objection thereto is made to the Governor-in-Executive Committee before the expiration date of six weeks from the date of the first publication thereof."

Now, Mr. Chairman, that is a very serious matter; because in Clause 44, you are giving the Authority power to deprive persons of their interest in land; and to deprive members of the public of their customary rights without any question of alternative rights of way being provided or without compensation for the loss of the use of the right of way is a very serious matter.

4.25 p.m.

That is a very serious matter. I am sure, Mr. Chairman, that there was a parcel of land in the parish which you have the honour to represent and when you acquired that land you acquired it on the understanding that there was a public right of way continuous thereto and probably appurtenant to the same premises, in the lucid sense of the term, because it would not be your own easement; but it would be an easement enjoyed by you along with other land owners or members of the public in the same district. This Clause is giving the Housing Authority with the approval of the Governor-in-Executive Committee the power to deprive members of the public of such rights. That in itself may not be a bad thing, that is in the interest of the community; but surely one would have expected that some provision would have been made either in this Clause or in some subsequent Clause of the Bill for alternative rights of way to be provided for every one of which the public may have become deprived. The situation may arise in which property owners in a certain district may not have any access to their own land after the powers vested in the Board by Section 44 of this Bill have been exercised; they may be cooped up in an area with the Housing Authority owning land all round without providing any entrance to or exit from their premises.

I am not in favour of supporting Clause 44 as it stands. As a matter of fact it is against the es-

established constitutional principles in democratic countries for persons to be deprived of their rights without compensation. In other words Clause 44 is a Clause which is the thin edge of the wedge of expropriation of property rights and interest, because there is absolutely no provision made for compensation or alternative provision when the public is deprived of the use of a right of way. I am sorry that I have to repeat my objection, but I consider this matter to be most important. To the best of my recollection no Bill can pass this House according to the Letters Patent of this Colony which tends to expropriate land from citizens of this colony or other property owners in this colony. Such a Bill would be obnoxious to the principles of democratic Government; and here is this Government in Clause 44 of this Bill depriving members of the public (whom they always advertise themselves as being so ready and anxious to assist and help,) of basic rights. A right of way is an interest which is attached to the ownership of land; and it is an interest which each and every member of the public who is entitled to use a right of way is supposed to enjoy without **any** let or hindrance.

These wide and general powers are given to the Housing Authority by the first Clause of Part VIII of this Bill which is Clause 44. Of course I would not be surprised if some member of the Government were to get up and say: "Of course we would not extinguish a right of way over land without providing an alternative right of way", but that is not in this Bill; and they do not have to provide any alternative right of way according to Clause 44 of the Bill. As I said before (if such a suggestion **had** been made in a Bill brought forward by the late Government of British Guiana, not the Government of that Colony which actually passed such a Clause under Section 39 of their Act but by the last elected Government in British Guiana,) I am sure that that would have been advanced as one of the reasons why the Constitution was taken away.

4.35 p.m.

I am positive about that because when one looks at the other reasons advanced for the defalcation of the constitutional rights from the people of British Guiana, one finds reasons which are far less sound than the Clause in this Bill, including ex-appropriation. It is very difficult Mr. Chairman, not to refer to British Guiana when dealing with this Bill because the whole of this Bill is drafted on a similar Bill of British Guiana; and this Clause is in *pari materia* with Section 39 of the British Guiana Ordinance of 1936. So the analogy which I have drawn to the situation in that colony, I am submitting, is not out of place since we have modelled the whole of this Bill on that of British Guiana. You are obliged to see that there is a lot of substance in what I have said.

Sir, it is unfortunate that we have thought of incurring what I would call the worst aspects of the British Guiana Bill. As I have said, I am not going to vote for Clause 44 as it stands because it is the thin edge of the wedge of expropriation. I am therefore inviting the Hon. Minister of Housing either to defer or postpone the Clause so that they can take it back to the Legal Draughtsman and so that they can look up the Letters Patent on which our Constitution is derived; and I am sure when they do that, they will see that this particular Clause is entirely obnoxious with our Constitution.

Mr. GODDARD: Mr. Chairman, I must agree with the two speakers who have spoken on this Clause. I too am very unhappy about it as it stands and I am in agreement that it should be deferred for further consideration. It is normally known that in Barbados

people sell off estate lands, but not the whole portion of it, hoping that in future years they would be in a position to develop what they left unsold and in so doing, they reserve certain rights of way to certain public roads. It may be a very narrow strip which they retain. If Government requires some land adjacent to that strip (and that is what this Clause means as it now stands) the only thing which Government has to do is to give six weeks' notice by putting an advertisement in a local newspaper for the first four weeks and if there is any objection, the Governor-in-Executive Committee shall consider such objection before approving the Order, and he may if he thinks fit cause a public enquiry into the matter to be held. But that is if he thinks fit. How do we know what the Executive Committee may have at that time and how they may take it. They may look at the estate to be developed as something which they are not interested in and that will mean that the party concerned would have to look for some other means to develop it or will have to sell it out.

I am very unhappy about this Clause; and as the honourable senior member for St. George has moved an amendment that the Clause be deferred or postponed for further consideration, I will not vote for it unless the Hon. Minister for Housing can give us some further explanation. Sir, I am going to second the motion by the honourable senior member for St. George that this Clause be postponed and for the reasons that have been given. I think in fairness to the Committee, since this matter is drawn to the Minister's attention for the first time, that he should take it back to the Legal Draughtsman so as to see what is the reason for this Clause; and if there is a reason why you want it you should give greater safeguards so that the person affected would be able to appeal to somebody other than the person giving the Order. For those reasons, sir, I second the motion for the postponement of this Clause for further consideration.

Hon. M. E. COX: Mr. Chairman, I would like to say that the hon. senior member for St. George never made any motion at all.

Mr. BARROW: I rise on a point of Order, Mr. Chairman. I made the motion that Clause 44 be postponed for further consideration.

Mr. CHAIRMAN: No! No!; You suggested it.

Mr. BARROW: If that is so, Mr. Chairman, I beg to move that Clause 44 be postponed for further consideration.

Hon. M. E. COX: I would like to say that some people would like to postpone it forever. Now, what is the position as regards this Clause? It reads as follows:—

44. (1) The Authority may, with the approval of the Governor-in-Executive Committee, by order extinguish any public right of way over any land acquired by the Authority in accordance with the provisions of this Act.

(2) Notice of an order intended to be made under subsection (1) of this section shall, prior to such approval, be published in the *Official Gazette* and in a local newspaper at least once in every week for a period of four weeks, and if any objection thereto is made to the Governor-in-Executive Committee before the expiration of six weeks from the date of the first publication thereof, the Governor-in-Executive Committee shall consider such objection before approving the order, and he may if he thinks fit cause a public enquiry into the matter to be held.

(3) Any such order when approved shall be published in the *Official Gazette* and shall take effect from the date of such publication or from the date specified in such order."

Anyone who has been following this Bill and not merely trying to waste time would have seen Mr. Chairman, that these Clauses apply to a Town and Country Planning Bill. I said when I was introducing the Bill that there were Clauses which were put into the Bill for the purpose of convenience at this stage in view of the fact that the Town and Country Planning Bill was not yet ready, and so that you may vest in the Housing Authority the right for orderly progressive development so far as housing is concerned. I also pointed out that these Clauses would take the place of the Town and Country Planning Bill until that Bill is passed.

The hon. senior member for St. George said, and rightly so, that there is no power vested in the Letters Patent where the Governor can expropriate without compensation or payment for the property of anyone; but I further said that these Clauses do not give authority to the Governor-in-Executive Committee to take away that right from those people without compensation. What is compensation in this case?

Mr. BARROW: Mr. Chairman, I did not expect the Hon. Minister for Housing to understand what I was saying, but I would have expected that the Hon. Minister for Agriculture who seemed to have been instructing him to have given him better instructions as to what I said. There is a difference between a private right of way and a public right of way.

4.45 p.m.

Hon. M. E. COX: I do not want any explanation Mr. Chairman from the hon. senior member for St. George. He has not risen on any point of Order.

Mr. BARROW: Mr. Chairman, this is what I was trying to point out to the hon. member who said that the case is explanatory when they make an extension to any right of way. To that point I said that alternative rights should be provided; and no power is in this Bill, specific or otherwise, to provide alternative rights. Then I went on to say that with compensation the situation is as exactly analogous as if it were a right of way; on the one side compensation and on the other side alternative rights must be provided.

Hon. M. E. COX: Mr. Chairman, where does compensation come into this? If you have a right to pass over a man's land and that man sells to somebody else, where does compensation come in? But he has caught himself after hinting it to the hon. member on my right. The hon. member will therefore see that you cannot expect the Authority to take away rights of way from people without providing them with alternative rights. He heard me say: how can you—

Mr. BARROW: Mr. Chairman, I object to the member saying that I heard him saying anything. I am still pointing out that there is no provision for any right of way.

Hon. M. E. COX: Mr. Chairman, I have already characterised him. Nothing he says worries me. He just can't help being nasty.

Mr. BARROW: Mr. Chairman, I am objecting to the hon. member's use of unparliamentary language about me. You ask him a simple question on a simple point which is in the Letters Patent—

Mr. CHAIRMAN: You are objecting and yet you would not allow me to rule.

Hon. M. E. COX: This section says in effect that if the Authority buys property over which there is a public right of way as distinct from a private right of way and it is found necessary by the Authority to extinguish that right of way, if any of the persons concerned with the sale of land should ob-

ject to the extinguishment of that right of way then those persons are entitled to a right of appeal to the Governor-in-Executive Committee. Such a circumstance is likely to arise in cases where from a planning point of view you are bound to close that right of way in order to give the proper effect to your arrangements. Can you imagine closing this road and not providing an alternative right of way for the people affected by the extinguishment.

Now sir, the honourable junior member for Christ Church may not have read this Bill. If he has a suggestion to offer he should not get up and say postpone the matter without offering some suggestion which might be considered reasonable and workable. If he merely keeps saying postpone, postpone, that means that you may postpone for ten years. My argument is that the honourable member should say what he thinks is reasonable.

What would the Executive Committee be in this case, if an alternative accommodation was not provided for in this Bill by the Governor-in-Executive Committee. Furthermore the honourable senior member for St. George, more often than ever, is absent when these matters are being discussed.

Mr. BARROW: Mr. Chairman, absent from where? From his private lessons.

Mr. CHAIRMAN: What are you rising on?

Mr. BARROW: I am objecting to the remarks by the senior member for St. Michael. Absent from where? His rum-shop or the Executive Committee; because I am not on it.

Hon. M. E. COX: Mr. Chairman, I was saying that if he had stopped to think he would have known that not long ago, about a month or so we passed a Crown Proceedings Bill in this House, which is the law of the land today. Under the provisions of this Bill anybody can sue the Government just as they would an ordinary individual. Such a Bill having been passed in this House it places the Government in a similar position to the private individual; as much as to say that if a body such as the Housing Authority mentioned in the Bill now before us should close a public right of way, without I suppose providing an alternative, the Government can be taken to court. But could anyone imagine the Government not providing an alternative in such circumstances.

Now the honourable member comes in here and in his speech tries to give one the impression that when you appeal to the Governor-in-Executive Committee you only appeal to a hard-hearted Executive Committee and that is the end of the matter.

Mr. BARROW: He is making a fool of himself.

Mr. CHAIRMAN: Anyhow do not take him seriously.

Hon. M. E. COX: I was saying Mr. Chairman, that the individual can bring a case before the court against the Government just as if the Government was a private individual; but as I said before, this Clause deals with a public right of way and not a private right of way; [VOICES: You make it worst.] and this right of way is supposed to pass over the land which this Authority will buy. Therefore, it will be readily seen that the public is given protection from many angles.

I will repeat that it may be necessary to close a road in order to have your area developed properly; and if you have to close that road you are to find an alternative. Listen to what subclause (2) says:—

"Notice of an order intended to be made under subsection (1) of this section shall, prior to such approval, be published in the Official Gazette and in all local newspapers at least once in every week for a period of four weeks, and if any objection thereto

is made to the Governor-in-Executive Committee before the expiration of six weeks from the date of the first publication thereof, the Governor-in-Executive Committee shall consider such objection before approving the order, and he may if he thinks fit cause a public enquiry into the matter to be held."

From that I gather that the Governor-in-Executive Committee goes into it before the Order is approved; not that the Authority can put up an Order and the Order is approved as soon as the Authority puts it up. The Governor-in-Executive Committee goes into it before the Order is put up. It has been assumed that the Governor-in-Executive is nothing but a machine; but when people who have a right to appeal to the Governor-in-Executive Committee do so they will find that the Governor-in-Executive Committee is comprised of human beings who act as human beings and not as machines as some people would have the public believe. In the light of all that I have just said the question of compensation raised by the honourable senior member for St. George does not arise. This is not a question of taking away anything from anybody. The right to pass over a public right of way which might be found necessary to be extinguished in order that a certain plan might be carried out in an ordinary way. If this is done there can be no harm whatsoever.

4.55 p.m.

Mr. BARROW: It is very regrettable, as I said before, that a more competent person like the Minister of Agriculture, Lands and Fisheries had not given the House the benefit of his feelings on the observations which were made by myself and the honourable member for Christ Church. If I were the type of person like the honourable senior member for St. Joseph, the ridicule and contempt with which I would treat the honourable senior member for St. Michael would annihilate him I am sure. I am completely sympathetic with the honourable member: [Hon. M. E. COX: I do not thank you at all.] I would like to ask him under which law can a member of the public who has been enjoying a public right which is not exceeding any statutory authority go to the Law Courts under the Crown Proceedings Act. I should like to know that. Again I must point out to the honourable member that public rights are rights which are enjoyed by all. It should be stated in the Bill just what alternative will be provided in this case; and the Bill should vest in the hands of the Housing Board the Authority to provide alternative rights. If the Hon. Minister cannot grasp that without any further simplification of the problem, then I am afraid I am not capable of degenerating to any lower plain than that. It is a fundamental constitutional privilege that no member of the public should be deprived of rights which he has been enjoying; even though it might be in the interest of the public to deprive him of those rights. You should be prepared to provide him something by which he can enjoy his right to pass (without any undue infringement or interference) which he has hitherto enjoyed. The mere fact that the honourable senior member for St. Michael considers himself and his colleagues to be men of goodwill does not impress itself on the minds of those members who know constitutional principles to be higher than the self esteem of the honourable senior member for St. Michael. They seem to feel that in some way or the other the Almighty has given them the right to keep the people of this island in perpetuity in the sorry state in which they now find themselves. They feel that any statute law, no matter how it affects the rights of the public, must be based on assumptions acceptable to themselves and not to anybody

else. I cannot assume that in any one man or group of men all the goodwill and omniscience in the world has been bestowed. These are assumptions which are undeniable especially in the light of the existing situation in this island of Barbados.

I hope that when this Bill goes to the Other Place we will enjoy the spectacle of the honourable senior member for St. Michael eating his words when he has to accept some modification of Clause 44 of this present Bill.

It is not for the honourable junior member for Christ Church or for me to do the drafting which the people of Barbados pay four or five legally-trained persons to do. We have already indicated the lines along which we think any amendment to this Clause should proceed and it would be rather fatuous to suggest that the same persons who have advanced the basis of the amendment should further delay as a minority the passage of this Clause or the Bill, by saying that it is unacceptable. Such mental gymnastics are only exhibited by members on that side of the table; certainly not by the honourable junior member for Christ Church or myself. It may be that if the colleagues of the honourable senior member for St. Michael who have a more profound understanding of the implications of this Clause than he has, will support the principle of drawing him aside and giving him more detailed instructions; perhaps we will see a change in his attitude. Therefore I am remaining firm on the motion which I have made, namely, that the further consideration of this Clause be postponed.

Mr. GODDARD: How often have we been told in this House by members of the Government that for us to stand here and make up amendments in this way is making bad law? But when it suits them, they say: "Make the amendments now." As the honourable senior member for St. George has said, it is the business of the Crown Law Officers to look after the drafting of Bills. This Clause has been drafted on the model from British Guiana which is a big territory; but there are so many small holders in Barbados that the Hon. Minister would be surprised to know how much opposition he would get from land holders of all classes. We have expressed our opinion here, and if the further consideration of this Clause is not postponed for re-consideration, it probably will be done in the Other Place.

Hon. C. E. TALMA: I think that some confusion has arisen in the minds of certain honourable members as to this question of private rights of way as distinct from public rights of way. As to public rights of way, the question of compensation does not arise; men of the calibre of the Governor-in-Executive Committee will be expected in the normal course of events to provide alternative public rights of way. I am afraid that honourable members have given the impression that private rights of way lead to private people's houses.

Mr. BARROW: On a point of Order. How can the honourable member suggest I gave that impression?

HON. C. E. TALMA: Mr. Chairman, this is a public right of way which runs over land acquired by the Housing Authority. The question of private individuals does not arise. What arises is because a competent authority such as this Housing Authority and the Governor-in-Executive Committee may have the right of appeal to be made, we provide the alternative of a public highway. I do not see how apprehension should have arisen in the minds of hon. members. The only point which has been argued as has been resolved is that this is a public highway; the question of ex-appropriation does not arise and no

Government would expropriate people's property without compensation. That point having been withdrawn, it is only a question of alternative right to the same place which would be done by them by public provision as is done at present, and which has always been done in the past by members who comprise the Authority and by members who comprise the Governor-in-Executive Committee.

The question that Clause 44 be postponed for further consideration was put and resolved in the negative, the Committee dividing as follows:—

Ayes: Mr. BARROW, Mr. LEWIS, and Mr. GODDARD.—3.

Noes: Hon. G. H. ADAMS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. Dr. CUMMINS, Mr. BRYAN, Mr. J. C. MOTTLEY, Mr. VAUGHAN and Mr. MILLER.—8.

The question that Clause 44 as amended stand part of the Bill was then put and resolved in the affirmative without division.

ADJOURNMENT

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

Mr. LEWIS: I beg to second that.

The question was put and resolved in the affirmative on the declaration of Mr. Chairman. "I think the "Ayes" have it."

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

Hon. Dr. CUMMINS: I beg to move that this House do now adjourn for half an hour.

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

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

5.17 p.m.

HOUSING BILL—Cont'd.

On re-assembling.

Mr. SPEAKER: On the adjournment the House was in Committee on the Bill intituled an Act to make provision with respect to the Housing of persons of the working classes and other classes and for the purposes connected therewith.

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

Clause 45 was called. It reads as follows:—

"Any person authorised by the Authority or the Governor-in-Executive Committee in writing (which shall state the purpose or purposes for which the entry is authorised) may at all reasonable times, on giving twenty-four hours' notice to the occupier, and to the owner is known, of his intention, enter any house, premises or buildings for the purpose of inspecting the same and in particular—

- (a) for the purpose of survey and examination, where it appears to the Authority or the Governor-in-Executive Committee that survey or examination is necessary in order to determine whether any powers under this Act should be exercised in respect of the house, premises or building; and
- (b) for the purpose of survey and examination in the case of a house in respect of which a notice requiring the execution of works has been served, or a demolition order or a clearance order has been made; or
- (c) for the purpose of survey or valuation in the case of houses, premises or buildings

which the Authority are authorised to acquire under this Act."

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 45 stand part.

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

Mr. J. C. MOTTLEY: Mr. Chairman, in clause 45 line six, don't you think the Clause should be amended by the insertion of the word "to" immediately after "intention" and before "enter?"

Hon. M. E. COX: No. It is right. I think Mr. Chairman, the hon. member has misread the Clause.

The question that Clause 45 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 46—47 inclusive were called and passed.

Clause 48 was called. It reads as follows:—

48. (1) The Authority shall, in relation to the letting of houses, observe the requirements specified in the following provisions of this section.

(2) The Authority shall, in the selection of tenants of houses to be occupied by persons of the working classes, give preference to persons—

- (a) who are occupying insanitary or overcrowded houses, or
- (b) who have large families, or
- (c) who are living under unsatisfactory housing conditions—

except in so far as the demand for housing accommodation in any area on the part of such persons can be satisfied without such preference being given.

(3) The Authority shall, in the fixing of rents, take into consideration the rents ordinarily payable by persons of the working classes in the locality:

Provided "that the Authority may, subject to such terms and conditions as the Authority may think fit, grant to any tenant from time to time such rebates from rent as the Authority may consider just and proper."

(4) The Authority shall from time to time, review the rents fixed, and the rebates from rent granted under subsection (3) of this section, and shall from time to time make such changes of rents generally, of particular rents, or rebates as circumstances may require.

(5) The Authority shall make it a term of every letting, and it shall be a term of every letting, that the tenant shall not assign, sub-let or otherwise part with the possession of the premises or any part thereof except with the consent in writing of the Authority, and the Authority shall not give such consent unless it is shown to its satisfaction that no payment other than a payment which is in its opinion reasonable has been, or is to be, received by the tenant in consideration of the assignment, sub-letting or other transaction.

(6) Subject to the provisions of subsection (5) of this section, the Governor-in-Executive Committee may from time to time issue directions to the Authority as to the terms and conditions which are to be implied in any lettings under this section, and a copy of such directions shall be delivered by the Authority to every tenant concerned.

Hon. M. E. COX: I beg to move that Clause 48 stand part.

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

Mr. LEWIS: Mr. Chairman, in reference to sub-clause 3, I suppose that some general method of arriving at the value of the houses in order to fix the rent has been devised. If the Housing Authority is going to be guided by the rents ordinarily tabled by persons of the working classes they are going to be misled. We have no rent authority in Barbados. The very necessity for this Bill implies that the

demand for housing must be greater than the supply which is largely responsible for the upward tendency of house rents generally. If therefore the Authority in fixing the rents are going to "Take into consideration the rents ordinarily tabled by persons of the working classes in the locality" as stated in sub-section three of this section, then they may find that they are actually basing their rents on nothing less than the demands of extortionate landlords. I think that the Authority should arrive at some rental value of their places.

The proviso in this Clause states:—

"that the Authority may, subject to such terms and conditions as the Authority may think fit, grant to any tenant from time to time such rebates from rent as the Authority may consider just and proper."

I think, Mr. Chairman, that the conditions under which these rebates are to be given should be mentioned in this proviso. I do not favour the idea of granting rebates to tenants. It seems to me that it would be better for the Authority to pursue the policy of altering the rents. Giving a rebate may cause trouble in your own housing schemes. The principle is inclined to be unsatisfactory and I think that the Authority should have a method of determining their own rents.

Now, Mr. Chairman, I should like the Minister of Communications to help me with sub-clause five. I should like him to explain to me why it is proposed to make subletting permissible. I see no reason why you should allow tenants to sublet.

These Housing Schemes are going to make labour somewhat fixed. A man, for instance, having acquired a house in St. Philip would be unable to go into St. Joseph to work. From his vast experience on the Housing Board the Hon. Minister should be able to help me as to what for instance, are the circumstances for people in cases of subletting.

Hon. M. E. COX: Mr. Chairman, subletting takes place in extraordinary circumstances. That is, you may have a family occupying a place and some of the family may leave the island or they may die; and there may be cases in which they might want some one else to live with them. The hon. member will see that protection against exploitation is also given to the person who desires to get a room with the proper owner so to speak. I have known of a few cases, particularly in our housing set-up where there were reports about subletting and the extravagant charges by the person to whom the house was originally let. Except in extraordinary cases I should hate to know that there would be any subletting at all. Furthermore subletting can only be done with the consent of the Board. The Board would have to know all about the individual who wants to share the House, and the Board would have to go into it in order to see whether or not that was reasonable. Beyond the fact that there may be a few old persons who might like to pay a few shillings to share a room, there would be no subletting to premises as a general rule.

Hon. G. H. ADAMS: Mr. Chairman, the Hon. Minister's explanation should be sufficient to answer the question raised by the hon. junior member for the City.

Somebody once went on an Emigration Scheme to the United States and without telling the Housing Board anything of it, allowed some relatives who were not hard up to make use of the premises thus vacated. Then the Housing Board discovered that there should have been an enquiry into the position.

The Minister of Social Services has had the advantage of being taken around with me to about six or seven Housing Schemes in America. During the

time I was there I received a great deal of literature Housing.

In some of New York Housing Authority Schemes there are houses of different rental values; and there is a system whereby a man is placed in a house according to the extent of his income. If a man happens to occupy a house at a certain rental value, and he should obtain a better paying job, he is automatically moved into a better house where he has to pay a higher rent. We could not work that here even under the present law. I mentioned it because I had put it up to the Hon. Minister of Communications and Housing, and it may be that other hon. members might wish to express an opinion as to whether they feel that fixing rents according to a man's income might be the proper way to settle the question.

Personally, I do not like the idea. Consider the case of a man who has been living in the Bay Land Housing Scheme for a number of years on a small income. Then as soon as his income is increased, you force him to vacate the place which he occupied in the Bay Land in favour of one at the Pine. That is something which I do not approve and which I do not think the average Barbadian would take to easily.

Hon. M. E. COX: I would also like to tell the House that even in fixing the repayments so far as the Public Officers' Housing Loans are concerned, that is between 15% and 20% of salary as repayment. In this Clause a similar thing will be done; we will not take more than 15% or 20% of a man's salary either in rent or repayment.

Mr. LEWIS: While I imagine the difficulties which can arise, I would deplore the fact that a system would evolve to prevent a man from selling his labour in the highest market. If somebody remains at your house he need not take over the authority to pay rent. I see that sub-clause 6 relates to sub-clause 5 and it says:

"Subject to the provisions of sub-section (5) of this Section, the Governor-in-Executive Committee may from time to time issue directions to the Authority as to the terms and the conditions which are to be implied in any lettings under this Section, and a copy of such directions shall be delivered by the Authority to every tenant concerned."

That savours of interference there. The Housing Authority should be the people who would know most of the conditions under which they can let houses. The Minister's policy will have to be carried out by the Authority; that is what I would expect.

The question that Clause 48 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 49 to 53 inclusive were called and passed.

Clause 54 was called.

Hon. M. E. COX: Mr. Chairman, before moving that Clause 54 stand part of the Bill, I should like to ask permission to delete the words "ten shillings" occurring in line three of sub-clause 1 and substitute therefor the words "five dollars". This Clause was copied from the Act of 1936; and as you know in those days the rents were low as compared with what they are today. The amount of five dollars would be more adequate now-a-days.

Mr. ALLDER: I should like the honourable member to state for what kind of house this charge will be made.

Hon. M. E. COX: This is a question of giving control. It says this: "In any contract, whether made before or after the passing of this Act, for letting for habitation a dwelling-house at a rental not exceeding ten shillings per week, there shall, notwithstanding any stipulation to the contrary, be an implied condition that the house is at the commence-

ment of the tenancy and an undertaking that the house will be kept by the landlord during the tenancy, in all respects reasonably fit for human habitation."

Of course, this applies to any house, whether of wood or wall which comes to the value of five dollars a week, or at least not exceeding five dollars a week.

Mr. LEWIS: Is this provision for the purpose of any house, or for those houses under the jurisdiction of the Authority?

Hon. M. E. COX: Any house under the jurisdiction of the Housing Authority.

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

Hon. M. E. COX: I beg to move that Clause 54 as amended stand part of the Bill.

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

The question that Clause 54 as amended stand part of the Bill was put and resolved in the affirmative without division.

6.05 p.m.

Clause 55 was called. It reads as follows:—

55. (1) The income of the Authority shall be exempt from income tax and trade tax.

(2) For the purposes of rating by any Local Body the property of the Authority shall be deemed to be the property of the Executive Committee.

Hon. M. E. COX: I beg to move that Clause 55 stand part.

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

Mr. LEWIS: With respect to sub-Clause (2), Sir, I have been wondering if I can get cheap law! I see that this Authority is specifically exempted from taxation. As we can see from the figures of the Natural Gas Corporation it pays income tax, I am wondering if it should not be the same thing with this Housing Authority. I know that at one time the Government Savings Bank paid income tax and I know that the Natural Gas Corporation is virtually the Executive Committee, because that Corporation does nothing unless with the authority of the Executive Committee.

Hon. G. H. ADAMS: If the honourable member would mind my referring to cheap law, it is that the theory has grown up that you do not tax the Crown. An industrial corporation is not the Crown. What the honourable member referred to is a statutory body run by the Corporation; therefore that Corporation pays taxes. It is different from the Water works Department which is a Government concern—they do not have to pay taxes. Neither does the Fire Brigade pay taxes although it occupies its own building inasmuch as the property is owned by the Crown. But as soon as you create a Statutory Body, it will have to pay taxes if you do not exempt that body.

The question that Clause 55 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 56, 57 and 58 were called and passed.

The First Schedule was called and passed.

The Second Schedule was called and passed.

Hon. M. E. COX: Mr. Chairman, I am suggesting that we now revert to Section 2.

There being no objection, leave was granted.

Hon. M. E. COX: With regard to this definition clause, there was the question of whether it should be the word "building" or "dwelling". I am asking leave to amend the definition clause of the word "building" by deleting the word "house" occurring in line one, and in the definition clause of the word "dwelling" to delete the word "building" and substitute therefor the word "dwelling".

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

Mr. Chairman, I am also asking leave to amend in clause 2 the definition "Judge means the Chief

Justice" etc. to read: "Judge means the Chief Judge (which term includes) Chief Justice or Puisne Judge" etc.

Mr. LEWIS: Mr. Chairman, there was a great deal of debate on the definitions which I did not understand. I wonder if anything has been done about the definition of "road"; I cannot say I understand it. Since it has taken up a great deal of the time of the debate, I am wondering if any amendment was made.

Hon. G. H. ADAMS: Mr. Chairman, if the hon. Member does not mind my intervening, the answer is that there is no necessity. A layman reading that definition would gather the meaning as well as a lawyer. As you will see in the definition of "road", "road" means any road whether public or private. I will repeat, the simple test is this: anything that is not a public road is a private road.

Mr. LEWIS: Mr. Chairman, in this definition of "road" I think that what hon. members were trying to get at, as far as I can remember, was that you should be able to do as you like with any private road. I am saying that if you give a definition of "road" and then say that you can do as you like with it, then I do not understand.

Hon. G. H. ADAMS: Mr. Chairman, it is only a definition. The Bill in a section lower down, would not give the right to interfere with a private road. All the definition means is that "road" means anything from "street" down to "alley" and back to "highway." Inside here is a road; the passage in this Public Building yard is a road; the Act says so.

The Act says: "road" means any road whether public or private and includes any street, square, court, alley, land bridge, footway, bridle path, passage or highway, whether thoroughfare or not;"

The Authority cannot go and dig up a person's gap for instance, except by virtue of the provisions of the Highways Act, where it is lawful to swap compensation and take off piece of a man's road. This interpretation clause does not give any right to interfere with a private road.

Mr. Chairman, I beg to move that clause 2 as amended stand part.

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

Mr. LEWIS: Mr. Chairman, I am drawing the attention of the Committee to the words "Lord Mayor and the city of Council of Bridgetown" the definition of "Local Body" of Clause 2 of this Bill. We did not debate it as it is written in the Local Government Act. In that it reads more smoothly, and I do not understand whether they have decided to leave the definition of "Local Body" as it is written in the Bill now before us. The Local Government Act does say something about the "city Council" as distinct from a "District Council". I am merely reminding hon. members that the question was being considered in Committee when last we met, and I am not aware that my decision was reached.

Hon. G. H. ADAMS: If you look at the "Maude Bill" (the Local Government Act, 1955) you will see this; "During his term of office, the Mayor shall continue to be a member of the City Council," etc.

Mr. LEWIS: Something like that was brought up when the question was last debated, but I would much prefer to see the "city Council." The definition in this Bill says: "the Lord Mayor and City Council for Bridgetown". Well, that is alright; but—

Hon. G. H. ADAMS: In the definition of the "Maude Bill" it is stated: "The City of Bridgetown is hereby declared to be a municipal City and the inhabitants thereof a body corporate bearing the name of "Mayor, Aldermen and citizens of the City of

Bridgetown," and by such name shall be perpetual succession."

That is Section (3) Sub-section (1), and Sub-section (2) reads as follows: "The Corporation shall be capable of acting by the Council of the City, which shall consist of the Mayor, Aldermen and Councillors and shall exercise all such functions as are vested in the Corporation or in the Council by this Act or otherwise." Then Sections 4 subsection (1) says this: "The Mayor shall be elected annually by the City Council from among the Aldermen or Councillors of the City or persons qualified to be Aldermen or Councillors of the City." And Sub-section (3) says: "During his term of office, the Mayor shall continue to be a member of the City Council, notwithstanding the provision of this Act relating to the retirement of Councillors at the end of three years." Hon. Members will therefore see that the Local Government uses the expression "City Council" in more than one place.

Mr. LEWIS: I know that the Act has used the expression "City Council"; but in no part of this Act does it give it exactly so. Where there is mention of the Lord Mayor in this Bill, it says: the Local Government Act "the Mayor, Aldermen and citizens of the City of Bridgetown"...etc; but no where else do you see the "Lord Mayor" and then the "City Council of Bridgetown."

I would prefer to see: "The City of Bridgetown or the District Council" as is written here in this definition of "Local Body".

Hon. G. H. ADAMS: But the Act goes on to say: "The City Council may pay to the Mayor" a salary.

Mr. LEWIS: In the definition of "Local Body" it says "the Lord Mayor" and then the "City Council".

The question that Clause 2 as amended stand part of the Bill was put and resolved in the affirmative without division.
6.25 p.m.

Hon. M. E. COX: I beg to move, Mr. Chairman, that you do now report the passing of this Bill in Committee with amendments.

Hon. C. E. TALMA: I beg to second that.
The motion was put and agreed to.

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

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

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

ORDERS WITHDRAWN

Hon. G. H. ADAMS: Mr. Speaker, I am asking leave to withdraw from the Order Paper the Bill dealing with the Anglican Church Act and also the Bill dealing with Currency. I am substituting another Bill for each of them. In the case of the Currency Bill the changes are so great that I think I should withdraw that Bill instead of amending it.

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

NOTICE OF BILLS

Hon. G. H. ADAMS: At this stage I am asking leave to give notice of two new Bills which I should have done when the House first sat today. The Bills are those which I have just mentiond.

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

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

Bill intituled an Act to amend the Anglican Church Act 1911.

Bill intituled an Act to amend the Currency Act, 1950.

BILLS READ A FIRST TIME

On motions of Hon. G. H. ADAMS, seconded by Hon. Dr. H. G. CUMMINS in each case, the Bill to amend the Anglican Church Act, 1911, and the Bill to amend the Currency Act, 1950 were read a first time.

COMMITTEE OF SUPPLY

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I ask leave to take Order No. 2 as the next Order of the Day.

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

Mr. SPEAKER: The next Order of the Day is to resume Committee of Supply to consider the grant of sums of money for the service of the colony.

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

Resolution Postponed

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to further postpone the first Resolution for \$2,793 in respect of Vicars.

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

Resolution for the Purchase of Land at Rockley—Cont'd.

Mr. CHAIRMAN: The question is that this Resolution do now pass.

Messrs. LEWIS and E. D. MOTTLEY rose.

Mr. CHAIRMAN: Two hon. members are on their feet; will the hon. senior member for the City take his seat?

Mr. E. D. MOTTLEY: Why? I was on my feet first.

Mr. LEWIS: I can give way to the hon. member; I only got up to make an enquiry.

Hon. G. H. ADAMS: I should like to say that the Speaker or the Chairman of Committees has the right to call on whom he sees first. The hon. member ought to behave better than he is behaving now; there is no rule which says that the member who gets up first has the floor. The fact that half a dozen members get up does not matter; the Chairman or the Speaker need not see them.

Mr. E. D. MOTTLEY: Let the Premier set an example first; he is no example for anybody. I apologise if I were rude to the Chair, but I am not going to have the hon. senior member for St. Joseph to tell me what to do or what not to do. No one in this House breaks the rules more than the hon. senior member for St. Joseph and he knows it too. Whenever you rule Mr. Chairman, I will sit down. Because the hon. member is Premier do not let him tell you what to do Mr. Chairman, because he does the same thing all the time. He argues even with the Speaker. I have already told him outside this House that example is better than precept.

6.35 p.m.

Tell that to your friends. You talk about barking; I bark and you bray. I am the most humble person in this Chamber but I do not take any kicks from anybody. I have warned you in here already. I am going to pay you the highest respect but I am

the same man as you. I do not care and you of all people know that I do not care. I have a right in here just as you but not at your expense.

Mr. CHAIRMAN: I am speaking to the honourable member.

Mr. E. D. MOTTLEY: I apologise to you if I seem to misconduct myself in any way. But he wants to get it in the Minutes of this House that as far as he is concerned he sets some sort of example in here but as a matter of fact, he is the one person who does not set the example. I have heard the honourable member look at His Honour the Speaker and challenge his ruling. Why tell me about barking? If I bark, he brays.

Mr. CHAIRMAN: I am speaking to the honourable member.

Mr. E. D. MOTTLEY: If he refers to me as a dog, I can refer to him as a pig. Telling me about barking; he has no right to do it. He has no right to do that to me.

Mr. CHAIRMAN: I am speaking to the honourable member again.

Mr. E. D. MOTTLEY: You are trying to fool people in Barbados when you tell somebody about barking. You told me the other day about rude and crude. You can get off with that with your friends, but not with me.

Mr. CHAIRMAN: I am speaking to the hon. member. If the hon. member does not listen to me, I will have to report him to the Speaker.

Mr. E. D. MOTTLEY: You heard him tell me about barking.

Mr. CHAIRMAN: I am begging the honourable member to keep quiet.

Mr. LEWIS: Mr. Chairman, I think that the item which you have under discussion is a Resolution for \$45,616 for the purpose of purchasing from the Blue Waters Company now in liquidation, some beach land at a district known as Rockley. On the previous occasion when this Resolution was discussed, the Minutes of the Board of Health were quoted and since then, I have had the opportunity to refer to them and the previous Minutes. I can tell this Committee that at the meeting held in September, an application for permission to sell out that land including others was postponed, and one of the reasons for the postponement of that lot was that the persons unknown to the Board but known privately would get in touch with the Government and ask them to do their best to acquire the spot and preserve it as an open spot. I can tell this Committee that the member of the Board of Health who has just resigned brought that matter to the attention of the Government; and that was between the meeting in September and the next meeting which was in November.

Well sir, at the meeting in November, it appears that the Government had done nothing to approach the owners of that land to see what arrangements they could make to get this land which was included in a plot approved by the Board of Health previously for the purpose of selling out in spots. You will see from the Minutes that I did attend the meeting in September but did not attend the meeting in November.

The Board of Health asked the Government to do its best to acquire that land. I do not know if they said to do so by purchasing it but they said that the Government should acquire the land and keep it as an open spot. The Government apparently felt that they should allow that spot to be appraised with all the other land. That is the impression I got.

Mr. Chairman, the honourable senior member for St. Joseph is a lawyer and I have had to correct him several times by telling him that the Board of Health approves of a Plan in the cutting up of land for health reasons. The Plan is then sent to the Governor-in-Executive Committee and they appoint appraisers. The Board of Health has nothing to do with that. The Board of Health does not fix the price of land. It is the Executive Committee who sends the appraisers to value the land and they tell you for what it can be sold.

The Hon. Premier read out the Minutes of the Board of Health when they asked for permission to acquire this spot; the permission which the Board gave was for health reasons, but the Board of Health never discusses the price of land, at least, they have never done it at any of the meetings which I have attended. It is not competent for them to do that. This is yet another occasion where I have been the victim of a vicious, mendacious statement in a journal to the effect that I as a member of the Board of Health which asked the Government to buy this land. I have no doubt in my mind that if Government had taken the steps as I understand, made to them, (and I can say that Mr. Kidney who was honoured by Her Majesty the Queen and who has recently resigned from the Board of Health never made out that he had taken steps to ask Government to acquire this land by purchasing it) I feel sure that if the Government had gone to the liquidators of this property and had put the matter before them, some other way could have been found to acquire it; perhaps by way of a token payment being made for it for the purpose of preserving it as an open way to the sea for the people of the island and more particularly for the people in that area, because it would enhance their property for those who have their houses and clubs around.

Mr. Chairman, it seems to me that the Government did absolutely nothing when this matter was drawn to their attention. Not only that, if the Hon. Premier had read from the Minutes of the last meeting, he would have seen that the Queen's Solicitor—

Mr. Chairman, I am not accusing the Government of not doing anything; I am telling the hon. member that the Government adopted the wrong method.

Hon. G. H. ADAMS: I first heard of it from the Minister of Health, who said that they were trying to get the Board of Health to agree to a sale. I approached the hon. junior member for Christ Church as one of the owners—

Mr. LEWIS: Mr. Chairman, that is a later stage than the one of which I am speaking. They are talking to somebody who knows about it.

In the month of September the matter came before the Board of Health and it was postponed. I do not see how the Board could take that up officially.

Hon. G. H. ADAMS: Let me read it from the Minutes of the Executive Committee. The Executive Committee had a meeting on the 23rd of September, 1954, and was informed that the Blue Waters Hotel Company Limited had agreed to divide and sell the land known as Rockley Beach. The Executive Committee agreed that the site should be preserved as an open space and that the negotiations should be carried out with a view to reaching some agreement on the matter. That is the substance of the Minutes.

In September I approached the hon. junior member for Christ Church—

Mr. LEWIS: If the Chairman acted right away, what action did he take? Did they advise the Board of Health to take part?

Hon. G. H. ADAMS: The Board of Health had finished.

Mr. LEWIS: The Board of Health had not finished. Mr. Chairman, the Hon. Premier is quite right in saying that action was taken. But the Board of Health must have given some information to Government in September to tell them that they had approved of it. I should like to have the actual letter read, because it is dated in November. If the Board of Health did that they could not have been instructed to do it. If the hon. member would read that he would see that it has been brought to their attention, but not by the Board of Health.

Hon. C. E. TALMA: If I may intervene, the letter was brought to Government's attention. When Blue Waters Hotel Company Limited—

Mr. LEWIS: Who brought it?

Hon. C. E. TALMA: If you will wait, I will explain it.

Mr. LEWIS: You cannot explain it.

Hon. C. E. TALMA: A decision was reached that the Premier should negotiate on behalf of the Government. But this is the point: the actual fixing of the price took place after. It takes a little time for the application to be considered, and before the people could report back. They reported at the end of November.

Mr. LEWIS: If the Hon. Minister would look more carefully he would find the Minutes of the Board of Health in September; and if he read them, he would see where his mistake is.

Mr. Chairman, there is just one angle to it. If the Board of Health met in September and they had this application before that, they merely postponed it. But nobody instructed the clerk to reply; no such thing was done. I knew Mr. Kidney had got in touch with some member of the Government. That was in September, and so far as I know, nothing came back to the Board. The Board then took up the application at the next meeting; that is the November meeting. If the hon. member reads the Minutes of the November meeting he will see it in there. I am not blaming them for acting, I am blaming them for the method of their action. Can they not see that?

When the Board of Health met in November they should have known what arrangements Government had come to. But the Board of Health had to repeat its request.

The Minutes of the meeting of the Government with reference to acquiring the site have already been read to us by the Hon. Premier during the course of this debate. But let me say this now: could not the Government have acted in such a way as to take other steps to acquire it?

Hon. G. H. ADAMS: I first got my information when the Board of Health met.

The Hon. Minister of Health in speaking to me about the matter said to me: "for Heaven's sake bring it up early". I then approached Mr. Goddard, and at the next Executive Committee meeting I reported that I had seen and spoken to Mr. Goddard on the matter, and that I had told him I was going away and might not be able to deal with it. I asked him whether the Company was fully decided and he said 'certainly'. The Board of Health then agreed to the division and sale in November. But they had not previously agreed to the division and sale.

6.55 p.m.
Mr. LEWIS: I have been trying to tell him that I understand all of that, but if you approach the owner of this land could you not have arrang-

ed something about the price. In my opinion there was an option to buy this land at the appraised value and I am saying that that need not have happened. I am blaming them for taking the option of buying this land at the appraised value. It might be said it is all very well to talk about acquiring this land but there is a Beach Rights Committee in existence and we hear nothing about it. It is my feeling that if the matter had been gone about in a different way it is quite possible that the Government would not have had to pay the appraised value for this land. [Hon. G. H. ADAMS: We would probably have had to pay more for it.] However I am saying that if they had gone about the matter in a different way they might not have had to pay this value for the land; they should have stated a sum of money merely to acquire this land but not to pay two shillings a square foot for it just because the rest of the land had been appraised at the value. That is where the negotiations went wrong. They are now giving \$10,000 on account of land which they at one time owned themselves; to my way of thinking, that is unfortunate. This land should have been sold as a piece of beach land in the interest of the people and the appraised value of this land should mean nothing to a transaction like that. To give the impression that so long as you were given the first refusal to acquire this land and to purchase it at the appraised value should not be the spirit of the matter. The public has been passing over that beach for a long time interruptedly except for some small bushes; this is a transaction which has got entirely out of hand and was entirely misrepresented to the Executive Committee. I think that these people should have been given five hundred pounds or a thousand pounds merely for the purpose of acquiring this land, but do not merely get the first refusal to purchase it at the appraised value and at the same rate as the other building land. That is the whole matter.

Mr. E. D. MOTTLEY: I have one or two things to say on this matter. The first time that the matter was drawn to my attention was when it appeared in the Press; I read that some suggestion was made as to whether this land should be used for the purpose for which the owners applied or whether it should not be used as a site for the general public. I am supporting the purchase of this land because I believe that while human beings must work, they must also sleep and they are also entitled to a certain amount of recreation. I suppose it is expected of me to give a professional opinion as to the value of this land; well, let me say here and now that on the last occasion I listened to the honourable junior member for St. George, who by virtue of his vocation should be in a position to advise the Government on matters of this sort, and I think it is recorded in the Minutes of this House that the honourable junior member for St. George said on that occasion that this land was not worth this price per square foot and that land in that same vicinity had been sold at a price which was very much less.

7.05 p.m.

I am saying here and now that this land, in my opinion, is cheap. To some people, the things of other people worth nothing, but theirs must bring every penny they can get for them. When it comes to matters of this sort, you must not look at them from a biased view.

There is much argument as to whether this land is suitable for bathing and whether the sea would reclaim this land so that the owners would have nothing, but that is a matter for them and their solicitors. They should know what land there is above

the high water mark which they are buying, and what there is below.

There is just one thing which I would like to say about this land: Christ Church is not the only part of the island where inhabitants of the island deserve a right-of-way to the sea or some site for recreational purposes and because of that, I cannot help thinking of the suggestion made by the honourable senior member for St. John a few years ago when he suggested on two occasions that a portion of land which was being set up for sale in the parish of St. James belonging to the Rectory should be acquired by the Government so as to give the people a right-of-way to the sea in that area. I think it was Sir Hilary Blood, the then Governor, who suggested to this Chamber that the land along the beaches of this country was being acquired privately and soon there would be no right-of-way for the general public to enjoy the foreshore or the beach for bathing. Sir, if you were to take from the Garrison up to Oistin, I doubt whether you can find any entrance to a beach where a private owner could not say to you that you are forbidden from trespassing; and if you do so you can be prosecuted. While we should do everything to encourage tourists and such people coming here, I think our first duty is to the people of Barbados who are born here. We should let them have the opportunity of getting to the various beaches without hindrance, therefore the acquiring of that land with this object in view is something which I am obliged to support.

There is also another point which I would like to raise. Honourable members of the Opposition would like me to say and make it quite clear to the public of Barbados, that this land is not owned by the family of the Leader of the Opposition. If any one goes to the Registry, they would see that this land belongs to the Blue Waters Company, Limited, now in liquidation, and that the family of the Leader of the Opposition only has a share in it. I think there are ten people who own shares in that Company. However, the Hon. Leader of the Opposition is not going to vote on this Resolution.

The price of this land which is to be acquired compares with the price at which that can be sold for privately, and that is why I say that it is cheap. Some people feel that because the sea came in there many years ago that it will come back again. That might be so or might not be. Those of us who have been following the development in Japan and the Hawaiian islands realise that engineers are building on sites where there is actually water. I want to apprise this House that they are several people who would like to acquire this land. I am not one because I cannot afford it; but I know that there are many who would like to acquire it for recreational purposes and they would make a profit out of it. I am in a position to say that I know for a fact that an offer has been made to the Blue Waters Company for a portion of this land at a price higher than that which the Government is paying. I say again that to some people, (and that applies to some members of this House and of the Government), everything they have for sale must be gold, but if they must buy other people's things, the other person's things must be brass.

However, sir, I still have one or two criticisms to make on this Resolution. The entire area of this land according to the Addendum is 98,358 square feet, which mean that it is about $2\frac{1}{4}$ acres. The laymen (and when I say layman I mean the person who is not accustomed to surveying land) looking at the area there, would think that the area which the Government is buying is only that land which runs from the public road to the sea but the people

should be made to understand that the area which the Government is buying is also that part which is beyond the high water mark as well as that which adjoins the sea.

There is just one thing which I would like to draw to the attention of the Government. All of us who have had experience abroad and who have seen how beaches are taken care of would hope that the keeping of this beach will be in keeping with the standard which beaches are kept in big countries. I am going to say something which may not gain the approval of the people but I am hoping that when this beach is acquired, that Government will put it into the hands of some authority who would see that the conduct of the people who go there is in keeping with reputable standards of beaches in big countries.

7.15 p.m.

Now first of all, we need not argue what I heard argued in here on one occasion; that is, that this beach is being bought and the people in the area will only have it for one reason. I really do not want to answer some of the arguments which I heard; but I know this: as soon as it is bought by the Government it is bought for the use of the general public.

Now a beach like this being bought for the use of the general public, the term "general public" must be taken to mean all and sundry. But on the other hand, we must remember that we are encouraging tourists to this country and that this is one of the main areas which tourists frequent for bathing. I want to sound this note of warning to the Government, and the Hon. Minister of Agriculture in particular who is the representative of the Parish of Christ Church: people in all walks of life should be allowed to bathe there; but I say that persons should not be allowed to go to this beach and play cricket on the beach. The idea that because the Government has bought the beach people must be allowed to carry animals there and to bathe naked when visitors, and especially tourists are present is an entirely mistaken idea; and what I would not like for myself or family, I would not like for others. Let honourable members consider whether they would like to be bathing on that beach and see somebody with five or six mules or cows bathing on the same spot. There should be spots especially where people could take their animals and bathe them. The beach is being bought, not only for the inhabitants of Barbados, it is being bought also with a view to encouraging the tourists to visit the island.

It is not good enough merely to say you have lovely beaches; you should make the facilities of those lovely beaches much better than they are today. When I say that, I am thinking of clearing the beaches properly; I am thinking of the enactment of legislation and regulations to enforce the tidy keeping of the beaches where people should not be allowed to bury sea-egg shells; and I am thinking of regulations which would prohibit people from going there and playing cricket. Playing soft ball in the sea is a different matter. All of us like and appreciate that; but imagine people sitting on a beach with their wives and children and big men playing cricket on the same beach; and because they were foreigners who were struck these men adopted an attitude of "If you do not like it leave Barbados."

People do not invest money in hotels merely for the sake of investing money in hotels.

An incident such as the one I have just mentioned actually happened with some Canadians on that beach; and the attitude of "get out of here"

was adopted by the people who had struck the Canadians.

It was suggested in the press that the matter of life-saving guards should be left in the hands of private persons. I do not remember who suggested that, but I do not agree with the person. If you spend this amount of money in acquiring this site, you should get down and draft your regulations as applied to public beaches. You should also provide life-guards; it does not cost a fortune.

Now, while I am going to support this Resolution to acquire this beach, I must say this to the Government: lest the people of this country should feel that this is partiality, and lest what rumour has been saying that the Government is acquiring this for reasons not altogether 'above board,' I am going to suggest something to the Government; because, despite the fact that it might be argued that this \$45,000 might be put to some other purpose, my counter argument is that people are entitled to leisure. What I set out to say from the beginning was this: the Addendum to the Resolution is misleading. I am referring to the first sentence. It reads: "Blue Waters Hotel Company (in liquidation) has offered to the Government the land known as Rockley Beach....."

That is why the public feels that the Goddard's family is trying to sell the Government something that nobody else would want. The Government has actually approached them. What I want to bring to the attention of the public is this: I am not a member of the Board of Health; therefore, I am at liberty to speak.

I remember the day when this matter (the application of the Government to the General Board of Health for approval of the division and sale of the land) was discussed. Two days after I understood that a member of the Board of Health, then also a member of the Commissioners of Health, Mr. Kidney had raised this question at the Board of Health and expressed the thought that it would be a wonderful thing for the Government to buy this land. This ball was started rolling by Mr. Kidney who suggested to the Board of Health that the matter should be held up and the Government approached. I want to make the public to understand because it is peculiarly strange. While I agree that you should buy Blue Waters Beach, any suggesting that the Government is paying too much for it is out of the question. What I am coming to is this: now that you have decided to buy the beach my appeal is to the sense of the Government. You are acquiring Blue Waters Land because you feel the price is reasonable and above all because you feel it is necessary for the people in the Christ Church area, including tourists, to have a place of relaxation etc.

7.25 p.m.

Mr. Chairman, they are not the only people in the island. I am wondering if the Government will still lend a deaf ear to the suggestion which the honourable junior member for St. John has made. When you leave Speightstown by the St. Peter's Almshouse until you get up to Fresh Water Club, within recent years the land in that vicinity has been bringing big prices. You will admit, Mr. Chairman, that the bathing there is as good as if not better than the bathing in Christ Church. I was saying sir that from the time you leave Speightstown until you get to Fresh Water Club there is no spot which the public can enter upon and say that they cannot be prosecuted for entering upon it. It is a peculiar thing that with all the facilities which

we have got here, the people cannot get a site to bathe on the St. James's Coast. Are you going to allow every possible inch of the St. James's space to be bought up and then our people will not have anywhere to go and sebathe? The area of the Sandy Lane Woods is a landmark where Barbados is concerned; I do not agree that our people should go to any beach in a naked condition or be passing in that condition where people's families are. I remember an editorial written in the *Advocate* years ago in which it was stated "the sea is the Lord's, let the people bathe therein," But I will never agree that you should wire off one place for the White people and another place for the Black people. Let the people see that "the sea is the Lord's let them bathe therein." The Government is paying \$45,000 for this land in Christ Church and there is an area of five acres of land from Mr. O'Neal's house continuing down to Sandy Lane and that area should be acquired by the Government. Is it because a suggestion comes from Mr. Jack Kidney that it is worthy of consideration but when the honourable senior member for St. John makes a suggestion it is not worthy of consideration? I say that provision should be made along the St. James's coast for the ordinary bare foot masses, but of course you need to make regulations.

I have always supported the suggestions of the honourable senior member for St. John. One who has gone to the Great Beyond said that the Sandy Lane woods should be preserved as a land mark. I know that the Government has a wonderful opportunity of getting this land. We want the area of the Sandy Lane woods to be preserved as a land mark; that is the only stipulation. Barbados is surrounded by water but there is not every spot to which you can go and build. If the Rockley beach is offered to the Government I say that the Government should buy it. However, I want to say that the Blue Waters Hotel Company did not offer the Government this land, as it is set out in the Addendum to this Resolution; at the meeting of the General Board of Health when they applied for permission to sell out this land Mr. Jack Kidney said, that it was a pity to sell it out when it was the only place where the people of Christ Church would have an opportunity to bathe. He approached the Government and then they approached the Blue Waters Hotel Company. The Blue Waters Hotel applied for the sale of certain land; it was drawn to the notice of the Government that the only remaining portion of the beach in Christ Church which was not built up was this area and if they acquired it for building that would cause great inconvenience to the people.

That is how I would word my Addendum to this Resolution. I do not know why the people who are responsible for the wording of this Addendum have twisted the truth; I am one of those who never argue that everything a man does is wrong because people would begin to feel that you are not honest. You must be honest enough to say that they did something right; if you do something which is wrong, I will criticise you, but you cannot deny that the St. James beach is being all sold and the only remaining area beside is the area owned by the present Incumbent of St. James parish Church. The honourable senior member for St. John has suggested that Government should buy a portion of that coast.

7.35 p.m.

Since then, the hon. senior member for St. John suggested the acquiring of part of this area. I am asking the Government these questions: are you

going to wait until every square inch of land in St. James is taken up before you think of buying any? Are you going to wait until Sandy Lane Estates, Limited put an application before the Board of Health for permission to sell out in lots some of its beach land? Or, are you going to act now? I am sure these questions are going to offend some of my friends. The hon. senior member for St. John is not a Mr. Jack Kidney, therefore members of the Government think he has no right to make a suggestion. It was Mr. Jack Kidney who made this suggestion. You are doing the right thing now because you are buying something for the benefits of the inhabitants of this colony. Many years ago, when Mr. Sam Manning owned Porters, St. James, he had one hundred acres of land running to the beach and somebody offered him £10 per acre for it and he said to the person "You are going to lose your money." Somebody came along the other day and offered £100 per acre for it. It is where is the Gold Coast now. The sea is the Lord's let the people bathe in it. I am appealing to this Government to buy beach land all over the island for the people. Do not let it be said that because Mr. Jack Kidney is Mr. Jack Kidney and he made the suggestion that you are going to buy this land.

Mr. CHAIRMAN: You said that already.

Mr. E. D. MOTTLEY: That is my right. I can say it as many times as I like. The hon. members of the Government think that only suggestions can come from people of a certain colour of skin and I am asking you to see to it that of the remaining areas of beach land which belong to plantations the people of this island to get across to the sea. The honourable junior member for St. James knows what I am saying is true. He knows that even a rabid Socialist had land in that area and he wanted to part with it, he was not a Socialist. The honourable member knows that it was only by a stroke of good luck that he was able to retain a piece to walk on in that parish.

Sir, I have watched people from Christ Church, St. Philip and all over the island come in bus excursions to the parish of St. James and they have to sit in the buses along the streets and enjoy themselves there because watchmen come with sticks and say that the master says that you cannot go down to the beach. You ought to be shame to see that happening in this country. Just fancy, 15 buses filled with excursionists and a man comes out and say: "You cannot cross over this land." There was a time when I had to take a bus and go down there in that manner. You are now about to buy this beach land in Christ Church, but I have to drive it home to you that you flouted what the hon. senior member for St. John suggested to you a few years ago. It seems that it is only when people like Mr. Ronald Tree, or Mr. Cunard tell the Government that they should do so and so that they will jump and do it. I bet you that if Mr. Tree or one of those people had suggested that they should buy a piece of beach land down there, they would jump and do it. His Honour the Speaker, who represents and lives in a Leeward parish can bear me out that what I have said is true. He will tell you that many a time he has passed on his way home and seen bus loads of humble folk drawn up alongside the road eating their sweetmeats, with a watchman there to see that they do not cross to go down on the beach. I am supporting the buying of this piece in Christ Church but you must also try to acquire a piece on the St. James coast, which instead of being called the Gold Coast is being called the Platinum Coast. There is a strip of beach land on that coast owned by the Sandy Lane Estates Limited, why preserve it for the gods?

Why not buy it so that the people in the lower walk of life would also have a chance of going there?

I am supporting you 100 per cent. in acquiring this strip at Rockley. I am not saying that you are throwing away money and that you are buying it because it belongs to the Goddards. That has nothing to do with the matter at all. This is a good buy and when I say so, I am thinking of your long term policy not only for the people of the island but also taking into consideration that you are desirous of having tourism as an industry. The people must be made to understand that when you have tourism as an industry, you in turn will get back this money by way of income tax. Let us take for example the Accra Beach Club. That Club is now paying a great deal of income tax. I am saying that you should make the facilities you plan to make available to all but make the people to understand that you are not drawing a line. Make them to understand that they can bring their people there but that you are going to bring your people too. You must also make your people to understand that they cannot bathe there naked or play ball.

7.45 p.m.

But when you buy this you are not throwing away money. You are buying it with a far reaching policy. You are developing an area not only for local people, but for tourists as well.

Let me conclude by saying: lest people should think that you are only buying this beach because it pleases Mr. Kidney, for God's sake do not worry to play politics with this. When the former honourable senior member for St. James raised the question about land in the St. James area for public purposes I gave it a thought. I discussed it then with one of the owners now passed into the Great Beyond and I am sure you can buy Sandy Lane for a reasonable price.

I rely principally upon His Honour the Speaker (who though elevated to this distinguished position, still seems to mix with the rank and file;) to bear me out; and there is nothing degrading in those remarks which are all to Your Honour's credit.

Mr. BRANCKER: Mr. Chairman, I am sorry I did not arrive early. Through the negligence of some officials I did not know of the meeting of this House until this afternoon at a fairly late hour. It is not always possible for everyone who does a ten hour day's work and then comes to this Chamber to remain until the hour when the House is adjourned.

Mr. CHAIRMAN: You should.

Mr. BRANCKER: There is no doubt about it that steps should be taken to notify hon. members of a meeting by telephone or by some other means, if it is not possible through the *Advocate*; that explains why I did not have the advantage of hearing all that was stated. So far as the price of this land is concerned, whenever I hear the hon. senior member for the City say that the price of any property is reasonable (and I happen to know his standard of reasonableness which includes an ample consideration for those who may be selling the land) I know that that price is excessive and far beyond what the property is worth. I gather from the tenor of his remarks today that this price is quite satisfactory.

Mr. E. D. MOTTLEY: On a point of explanation, Mr. Chairman. I said that it is cheap, not satisfactory.

Mr. BRANCKER: I said that I had gathered from the tenor of his remarks that he said "satisfactory." He seems to misunderstand what is meant by the "tenor" of his remarks.

Mr. E. D. MOTTLEY: I understand the meaning of the word "tenor."

Mr. BRANCKER: But he still let the cat out of the bag as regards the price of this land, because he used that remark, which I trust for once, our Official Reporter will have noted. He then proceeded within five minutes after to say: "When you are paying \$45,000 for a beach that is why people should not play cricket there etc." That is as much as to say, when you are paying for land this land is not to be regarded as a democratic site. He is saying in the same breath: "Do not do any of the things which people have been doing up to last Sunday, because it may offend the susceptibilities of those people who are on the beach."

There is no reason why when you are paying \$45,000 for a beach there should be any such restriction; I think that the more you pay for it the more available it should be to Tom, Dick and Harry; these people have to take their animals to the sea to be bathed.

As soon as this Resolution is passed this land becomes the public property; and it is to be expected that people will do as they normally used to do. Until the sea comes back and reclaims part of this land as we know it is going to do, there should be no restrictions place there. I know there are other properties built right down on the beach; the owners are making enough money now to cover the expense of the property, but the land will sooner or later be again a part of the Caribbean sea.

There is one thing which the hon. member has said and with which I would agree, and that is, that Sandy Lane is an ideal place to be acquired for the public. You may have to pay more for that land, and if you pay more for that site that is a horse of a different colour. Sandy Lane has always been a beach and you will be buying something which is substantial. Sandy Lane is entirely free from encroachment and your money will not be thrown into the sea.

I agree that the price of the Blue Waters is extravagant; and I am doubly fortified after hearing the honourable senior member for the City giving his blessing to the price. We know what his blessing means when it comes to the price of property.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I did not intend to speak on this Resolution.

Mr. CHAIRMAN: If you are going to speak I will have to ask the senior member for St. John to sit down.

Hon. Dr. H. G. H. CUMMINS: I just want to correct two impressions which the honourable senior member for the City tried to make. He said that from the St. Peter's Almshouse down to Black Rock there is no public approach to the sea. That is not quite correct. The Government owns three approaches to the sea: One at Reid's Bay, one at Holetown and one at Paynes Bay. I just wanted to correct that impression.

Sandy Lane woods was recommended to this Government long before the senior member for St. John did so; it was recommended by Mr. Wilkinson. Years ago he put up the suggestion on more than one occasion that the Government should buy Sandy Lane Beach. But as I said before, there are three beaches owned by the Government on the West Coast: One at Reid's Bay, one at Paynes Bay and one at Holetown.

7.55 p.m.

Mr. VAUGHAN: Mr. Chairman, I must support this view of providing recreational centres for the people because on Bank Holidays it is becoming increasingly difficult for the people to get some where to go and have their picnics. The increased population of this island is making it incumbent on the Government to buy centres for recreation even

if by compulsory means. There is a large property now, an old and ancient one, known as Farley Hill. I do not know who will sympathise with my point of view, but such a historic building and grounds should be acquired by the Government as a centre where groups of the population could have their outings on Bank Holidays. People go to Cherry Tree Hill on Bank Holidays and you can see the buses lined up on the road while the people are dancing in the road.

I do not subscribe to the idea of the disturbance of the tourists; the time when the people bathe their animals at the sea is over by eleven o'clock in the morning, and the tourists will have plenty of time to use the beach when they will not be disturbed by the bathing of the animals. Of course nakedness is something uncivilised; we cannot invite the tourists to come down here and then have this nakedness in evidence on Sundays. As to people playing cricket and bathing animals I do not think that there should be any restriction to that.

As regards the price of this land I am incompetent to speak on that; but I am so much in favour of the acquisition of this place that I am quite prepared to support this particular Resolution.

Mr. ALLDER: The more I observe the move and counter move taking place on the passing of a Resolution like this, the more I am forced to decide not to vote for it. Of course that does not mean that this Resolution will not be passed. There is one thing which has primarily brought me to my feet. The honourable senior member for the City who vigorously defends what he is famous for defending, made some very slanderous charges against the department of the Attorney General, the Legal Draftsmen and the Governor-in-Executive Committee; because while the Addendum says that the agents or the directors of the Blue Waters Hotel Company had approached the Government and offered this land for purchase, the honourable senior member for the City said that the people who worded the Addendum to this Resolution have twisted the truth. Not a Minister or member of the Government's bench (who are always willing to jump to their feet to defend whether rightly or wrongly the fair name of these Civil Servants) have uttered one word on this occasion in defence of the truth wherever it lies.

Sir, it is very remarkable that a charge like that did not arouse any feeling whatsoever to the objections from the honourable and honest gentleman opposite. [Hon. M. E. COX: We know what to expect from you.] The Hon. Minister expects anything from everybody, and he always tries to make it easy for somebody to say something against himself and the Government. Is it because the sum of \$45,000 is involved in this Resolution and because the owners of this land are influential individuals in this island that no defence has been made on this occasion? This transaction certainly does cause some members of the Government some unhappiness, and therefore I am justified in my feelings that the manoeuvring which has been going on is because it has been decided that this land must be acquired for that price and regardless of what happens it will be acquired. I say that because it has been imputed that there have not been any unreasonable dealings. This island is rampant with unemployment, and there is a continuous demand for social services which are more needed than the acquisition of this land.

8.05 p.m.

Government is aware that there are other things which should be given priority over this expenditure. The Government should also consider, as it has always been said, that the Treasury is not a bottomless pit; therefore scrutiny must be maintained with respect

to the spending of the taxpayers' money. It also shows that regardless of how sincerely suggestions are put to the Government on matters such as this Government does not intend to give those suggestions any consideration.

However the Government might feel about the acquirement of this area, it is definitely uneconomical from a business point of view. Members of the Government should have respected the suggestion which was put on the last occasion when we discussed this matter where it was stated that Government should acquire a width of about 60 feet to give a right of way towards the beach for members of the public and save the remainder of the money. There is still much room for expansion in our housing situation to which you can spend the savings from this \$45,000; and there is still much room for the extension of the accommodation at the Barbados General Hospital. Of course I know that the Hon. Premier is going to sneer and do all kinds of monkey things at my suggestions, but I only will say let him get up and justify logically and honestly the acquirement of this land at this time.

I am not saying that if Government were able to purchase all the land around the island to accommodate the population and the visitors that they should not purchase it; but at this stage, it is wrong to do so; it is throwing away \$45,000, regardless of how many members may try to lessen the serious consequences which are involved in it. There are buildings adjacent to the same area which the owners would be willing to sell for around £3,000. If the Government were not willing to assist a few private owners of this land and they honestly wanted to give the people of this island access to this land and wanted to carry out the obligation of trust which the public placed on them, they would have gone and acquired one of those cheaper places even if they had to pull down and change up the building for the purpose of dressing and undressing and such things. I discussed the matter with a reasonable section of the public since this matter was discussed in here the last time, and the majority feel that extreme favouritism is given to certain landowners in this area. Everybody knows that if the Government were giving up the whole of the Treasury for this land, that the honourable senior member for the City would have said that it is worth it. If I were that honourable member and I was as favoured as he is, my speeches would be as brief as possible on these matters, because the hon. member knows that they carry no weight. There is no time that he has spoken on land values that he has ever said that the price was even reasonably high even if the whole public felt differently about it. The hon. member has tried to suggest things here but the same things which he has charged the hon. member for doing, he is doing himself.

Sir, I have friends (I do not want to call their names) who have bought some of that land in the same exclusive area and they have paid 30 cents per square foot for it. On top of that, it was solid land for building purposes. The hon. member is trying to give the impression that none of the land in that area was sold for less than 2/- per square foot; but that is not true. The land in that area where the affluent people live was sold at 36 cents per square foot. If you take it from an economical point of view, you will see that if this land had solid foundations, the Government would not have been given the opportunity to purchase it. The owners would have built something on it or other people would have bought it already; but there were always apprehensions as regards building on this particular land and therefore it was left unsold. I am also told that the people who

bought land at the other side of it did so with the agreement that they would always have a right of way to the sea; and that is over the area which the Government proposes to buy.

What I want to know is if the Government has gone into these matters as carefully as Government should. Has the Government found itself by buying that land injuring people who have invested their money in that area? Questions such as that are the questions which Government should have asked itself before agreeing to purchase this land.

You only told us that you are buying this land for the people to have access to the sea for an open window to the sea. I would like some Hon. Minister to explain that these matters have been gone into carefully. If they have not been gone into as carefully as I have pointed out, and also if some constituted authority had not been appointed to go into them for Government, then it would be dangerous to force the passage of this Resolution at this stage.

Now, as regards the question as to why the Government should rightly accept the suggestion of an individual about this matter, (having heard Mr. Kidney's name called as the person who approached the Government on this matter from a statement made by the hon. senior member for the City) it does not appear that when Mr. Kidney took such action that he took it in the interest of the Board of Health; that is how it appears to me. Even if he took such action in the interest of the Board of Health, how comes it after seeing the various objections raised by the same Government when recommendations were made by people in greater authority to buy other important spots, that the same Government is so willing to accept such recommendations at such high terms on a not very important issue as the acquirement of this land at Rockley.

8.15 p.m.

Suggestions had been made in this Chamber for things like a T.B. Sanatorium and the Government would not budge on one of those suggestions. Then you get the case of several tenants who are threatened with the compulsory removal of their houses within a short while, and the Government would not do anything in this respect. Now they are telling you that a member of the Board of Health made a suggestion to the Government and the Government rightly decided to spend \$45,000. I repeat again that the remarks of the honourable junior member for St. Andrew which he made when we discussed the matter on the last occasion should not be disregarded; it would have to be something very expedient for me to run willingly and pay such prices that are asked for properties. No investor having Accra Beach Club there already and Rockley Beach Club opposite, was going to put up a building for permanent residence there; and if he did consider putting up a building as a commercial venture he would put it up temporarily. Fortune seems to be on the side of Accra Beach Club. They seemed to be killing all the hotels in the area, and they could easily get back their money if the sea did come in and claim the land.

All and sundry go to Rockley Beach; but only Government is prepared to take the risk to buy up all that land. The ever willingness to relieve the financial burdens of property owners has been the Government's policy for the past number of years since they had the overall authority of controlling the public purse without even reference to this Chamber. They have been relieving such people of many things such as properties and the like which cannot go down to the credit of a people of Barbados much less a Government. As I said before it will be bought; everybody knows that. Before it

reached this Honourable Chamber everybody knew that it would be bought. I notice the Hon. Minister is relaxed too. But because I have strength, because I am free to do something, should I do it even if doing such a thing does not meet with what is expected?

I am not worrying about the Sandy Lane matter; the honourable senior member for the City must have only raised that issue in order to take the focus from the Rockley Beach proposals. Honourable members must have the commonsense to know having been in this Chamber for sometime, that one can beat a mat until it becomes too thin. The Government should offer to buy a part only of this Rockley area; the public would still get down there.

I was hoping that one of the Ministers would have defended the Civil Servants, in view of the fact that the honourable senior member for the City claims to be always in the know. He claims that the person who drafted this Resolution had twisted the truth in the Addendum. I expected that in preserving the fair name of the officers of the Government some Minister would have pointed out the truth of it or show where the truth lies. The honourable member for the City has made a charge; he said that the person who was responsible for wording the Addendum has twisted the truth, and as a Government official has drafted the Addendum sanctioned by the Governor-in-Executive Committee the officer should be defended. It would at the same time allay the feelings which I have as to whether they were telling the truth or fooling the House. If you do not do that I will have to come to the conclusion that the honourable senior member for the City was right because the Government failed to defend the officer. All I am calling upon the Hon. Minister to do is to remove the apprehension, otherwise I might be tempted to regard the honourable senior member for the City's statement as truth.

Mr. CHAIRMAN: They are not taking you seriously.

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

8.25 p.m.

Hon. Dr. H. G. CUMMINS rose to speak.

Mr. CHAIRMAN: If you are going on to the next Resolution I should like to be relieved.

Hon. Dr. H. G. CUMMINS: I would just like to do one more.

Resolution for the Repair of the Refrigerating Plant

Hon. C. E. TALMA: The next Resolution, Mr. Chairman, is an omnibus one.

The various Items have been set out in the Schedule. The sum of \$4,224 is for the repairs and overhaul of the Refrigerating Plant. It is essential to vote this money to repair this Plant so that at the same time we will have it repaired and kept according to the recommendations made by Dr. Fulton. He says that although this Plan is an old one it is still in a very satisfactory state and it can be repaired in the manner set out here. The second Item is in connection with the Agricultural Development Scheme; the third Item is in connection with the Visiting Obstetrician and the fourth Item is in connection with the expenses of the Trade Commissioner service in Canada. I beg to move that this Resolution do now pass.

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

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

On the motion of Hon. Dr. H. G. H. CUMMINS seconded by Hon. M. E. COX, the CHAIRMAN reported the passing of two Resolutions in Committee of Supply and the postponement of two.

Mr. SPEAKER resumed the Chair and reported accordingly.

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

LATE MESSENGER AND LIBRARY ATTENDANT

Hon. Dr. H. G. CUMMINS: I am asking hon. members to deal with this Address which is in connection with the late Messenger and Library Attendant of this House. This is something which we should have done long ago and which will take merely five minutes. I am asking leave to deal with this Address which is Order No. 14 under the Head "Private Members' Business."

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

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Social Services:—to move the passing of an Address to His Excellency the Governor relating to the granting of a gratuity to the mother and children of the late Messenger of the House of Assembly.

Hon. Dr. CUMMINS: Mr. Speaker, this Address reads as follows:

*House of Assembly
To
His Excellency the Governor*

The House of Assembly regret to inform Your Excellency of the death of Mr. Alfred Gittens, their Messenger and Library Attendant, on the 20th August, 1954, and respectfully request Your Excellency to send down a Resolution to provide for the payment of the sum of \$1,200 being one year's salary to be applied in paying the unpaid balance of the Funeral Expenses of the deceased and one third part of the balance thereof to be paid to Mr. Gittens' mother, and the remainder to be paid to the mother of Mr. Gittens' two children by equal monthly instalments to be applied by her for the maintenance and education of the said two children.

As I have already said, this is something which we should have done long ago. I beg to move that this Address do now pass.

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

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

ADJOURNMENT

The Order Paper having fixed,

Hon. Dr. CUMMINS: I beg to move that this House do now adjourn until Tuesday next at three o'clock p.m.

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

The question that this House do now adjourn until Tuesday next at three o'clock p.m. was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.
8.40 p.m.