

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954-55

HOUSE OF ASSEMBLY

Thursday, 3rd March, 1955.

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

Present:

His Honour Mr. K. N. R. HUSBANDS (*Speaker*), Hon. Dr. CUMMINS C.B.E., M.D., C.M., (*Minister of Social Services*), His Honour Mr. A. E. S. LEWIS (*Deputy Speaker*), Hon. M. E. COX, (*Minister of Communications, Works & Housing*), Mr. L. E. SMITH J.P., (*Chairman of Committees*), Mr. F. L. WALCOTT O.B.E., Mr. T. O. BRYAN, Mr. F. C. GODDARD (*Leader of Opposition*), Mr. J. C. MOTTLEY, Hon. C. E. TALMA (*Minister of Agriculture, Lands & Fisheries*), Mr. E. W. BARROW B.Sc., Mr. J. C. TUDOR M.A.

Prayers were read.

PAPERS LAID

By command of His Excellency the Governor Papers were laid as follows:—

Hon. Dr. CUMMINS on behalf of Hon. G. H. ADAMS:

The Civil Establishment (General) (Amendment) Order, 1955.

PETITIONS

Mr. E. D. MOTTLEY: Petition from the St. Michael's Vestry praying the House to pass a Bill to authorise them to raise a loan to pay new rates of interest.

Petition from the St. Michael's Vestry praying the House to pass a Bill to authorise them to pay rates of Cost of Living allowances.

GOVERNMENT NOTICES

Government Notices were given as follows:—

Hon. Dr. CUMMINS: On behalf of Hon. G. H. ADAMS: Resolution to approve the Order entitled "The Civil Establishment (General) (Amendment) of \$2,007 at the disposal of the Governor-in-Execution."

Hon. M. E. COX: Resolution to place the sum Order; 1955.

tive Committee to supplement the Estimates 1954-55 Part I, Current, as shown in the Supplementary Estimate 1954-55, No. 44 which forms the Schedule to the Resolution.

Hon. Dr. CUMMINS on behalf of Hon. G. H. ADAMS: Bill to settle the rates of Income Tax for the year 1955 and to make provision for certain other matters in connection with the levying of the said tax.

Hon. Dr. CUMMINS: Mr. Speaker, I beg to give notice of my intention to move the House in Committee at its next meeting to deal with the money Resolutions of which notice was given today.

PRIVATE MEMBERS' NOTICES

Private members' notices were given as follows:—

Mr. E. D. MOTTLEY: Bill to amend the Vestries Cost of Living Allowance Act.

Bill to amend the St. Michael's Vestry Loan Act.

BILLS READ A FIRST TIME

On motions of Mr. E. D. MOTTLEY seconded by Hon. Dr. CUMMINS a bill to settle the rates of Income Tax for the year 1955 and to make provision for certain other matters in connection with the levying of the said tax was read a first time.

On the motion of Hon. G. H. ADAMS seconded by Mr. F. C. GODDARD a Bill to amend the Vestries Cost of Living Allowance Act and a Bill to amend the St. Michael's Vestry Loan Act were read a first time.

PRIVILEGE

Re Newspaper Articles

Mr. SPEAKER: Before the business of the House is begun, I have a pronouncement to make to the House. An article appearing in today's *Advocate* Newspaper in my opinion, has misrepresented the facts as they appear from the debate as to what transpired in this House last Tuesday. I am in no way concerned with the private opinions of the Leaderwriter of this newspaper, but I do think that if such a daring misrepresentation of the facts of a debate is allowed to make public appearance in a newspaper, it must reflect badly on this hon. Chamber.

Local jurists are divided in opinion as to whether or not the Speaker of this ancient House has the authority to summons an offending journalist before it and put him on trial; I am not so much concerned with that. What I am presently concerned with is this: I am calling upon this ancient and honourable Chamber to insist that if the *Barbados Advocate* newspaper persists in the misrepresentation of the facts of the debates that take place in this Chamber, that the Reporters of the *Advocate Newspaper* be denied entrance into the precincts of this ancient Chamber. I am insisting on this. All hon. members will remember that last Tuesday when the hon. junior member for Christ Church rose on a matter of privilege, I craved the opportunity to make certain reference as to what was put before me first. Later on the same day I examined the conventions and I saw clearly that they were in no way referring to a matter of privilege, and I told the House so. That has been purposely omitted from the report by the *Advocate* on what took place. Such an omission is a deliberate attempt to misrepresent what happens in this ancient Chamber; and I sound the warning now that the time is ripe for hon. members to take action and give that newspaper a warning that if it persists in making such blatant misrepresentations as that which occurred in relation to what took place in this ancient Chamber last Tuesday, the Reporters of that newspaper will be denied admittance in this honourable Chamber.

Hon. G. H. ADAMS: If I am in order Mr. Speaker, I just want to say that I did not know you were going to say anything of this matter today. With the greatest respect to Your Honour, I want to say that you are taking a light view of it. I am preparing to stake my reputation as a lawyer and member of the House on this: there is not the faintest doubt, no matter what any local jurist may say that the *Advocate* newspaper is guilty of the grossest contempt of this House. I make a motion that the Editor of the *Advocate* newspaper be summoned to the Bar of this House to show just cause why he should not be censured or otherwise dealt with.

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

Mr. F. L. WALCOTT: Mr. Speaker, I am one member who has raised this point privately with yourself and other hon. members. I want to make it perfectly clear that not only the *Advocate* newspaper is guilty of this sort of thing, but I humbly submit that the paper which the Hon. Premier controls is also guilty of it. [Applause]. Some weeks ago you gave a Ruling and that very newspaper, (the *Beacon*) held Your Honour's position up to ridicule just because your Ruling was not consistent with what the Ministerial Bench thought. Of course, the Hon. Premier is not responsible for what is written in that newspaper, but I must say that those who were responsible for writing that comment which I read were guilty of the grossest miscarriage of the truth; so it appears to me because Your Honour's Ruling might not have been consistent with what the Ministerial Bench thought, you were held up to ridicule by that comment.

Mr. Speaker, I quite agree that every hon. member should protest against anything which tends to be a blatant disregard for what hon. members say in here by the newspapers in this island, and we have also seen that what one newspaper says today another newspaper gives the opposite view tomorrow. I am very glad Mr. Speaker, that Your Honour has raised this matter; and I mean it in the way that it would never have been given the same notice as it has been if it did not come from your high office. I am sorry that a matter of this nature would

involve making any one newspaper responsible or the scape-goat for anything; but I say again that there are a series of articles written recently in newspapers other than the *Advocate* which challenged your ruling, and your very partiality, which to my mind is more serious than challenging your ruling; because any Speaker is likely to rule in a way which would cause someone to disagree with that Ruling; you disagree with judges for that matter.

I have said all that Mr. Speaker, because I quite agree with all that you have said about your office, but I am not singling out the *Advocate* for any ridicule.

Mr. E. W. BARROW: It is indeed unfortunate that Your Honour has chosen this occasion to speak on this matter (when you are in the invidious position of being judge and jury of your own case) to draw to the attention of this hon. Chamber something which hon. members have persistently drawn to the attention of this House; if not in a direct manner in an indirect manner. I entirely agree with Your Honour that although we believe in the freedom of the Press and the freedom of speech, there must be a strict line of demarcation between license and abuse. I have already drawn to Your Honour's attention directly that the offending newspaper in particular was in the habit of misrepresenting the debates in this honourable Chamber by omitting speeches of certain hon. members whose views were not consistent with the shareholders of that company which publishes that journal. Your Honour knows that that newspaper has desisted from publishing anything that was spoken by me in this Chamber or in the Courts of Law in this Island. I certainly consider it, (with all due deference to the Marshal of this Chamber) a very gross breach of privilege, a privilege which Your Honour claims at the opening the Session to no less a person than the officer administering the Government of this colony. You claim that the fairest construction should be put on our Debates. Your Honour well knows that that newspaper which not only sometime ago refused to publish any of my speeches in its columns for a long time, has only recently distorted versions of my remarks.

Now Your Honour is also well aware that certain members of the Government are connected with another weekly newspaper even though they have assumed Ministerial Office.

3.35 p.m.

The honourable junior member for St. Peter who has the honour to represent the same parish as Your Honour, has drawn this state of affairs to Your Honour's attention, and has even given notice that if necessary he will draw it to the attention of the Officer administering the Government of this colony; and on several occasions when certain questions were asked which even the Hon. Ministers did not feel disposed to answer or the answers to which they were completely innocent of any knowledge, the honourable senior member for St. Thomas has stated in this Chamber not even *Sotto Voce*: "I am not answering you in here; I will answer you on Saturday in the newspaper!" and we know that articles have appeared in that newspaper attacking honourable members and putting the worst possible construction on debates; and Your Honour unfortunately did not elect to make that an occasion of our raising the matter of privilege. I entirely agree with Your Honour that misrepresentations are made in the newspaper of which you have complained. Up to last week's edition of that newspaper at least three honourable members can say that they saw directly the opposite—not merely omissions of the statements made in this House by

honourable members. The reports in that newspaper are neither fair nor accurate; I would not like you to pursue this matter on this particular occasion, because the newspaper which is affiliated with the same organization as Your Honour has also been guilty of gross breaches of the privileges of this House; and the most unfortunate feature of it is that the Prime Minister it was alleged at one time, was paying the sub-Editor out of his own pocket; and therefore, the Prime Minister must be held responsible for any article which appears in that newspaper. All the columns of that newspaper have been completely devoted not to educate the people of this colony or to drawing to their attention that they are being exploited, or to trying to show how they should organise themselves, but to delivering the most vituperative attacks on members of the same party and very seldom the members of the Opposition. That is felt throughout the country; and both the cars of the honourable senior member for St. Thomas and the honourable senior member for St. Joseph especially on Friday nights and Wednesday are seen at the office of that newspaper shortly before the newspaper goes to print. There are other newspapers in this colony it is true, but we will hardly hold them responsible. One reprints everything from the *Advocate*, and they are condemned also because of their slavish copying of everything which appears in that newspaper, therefore nobody will take them seriously; however I must reiterate that it would be most unfortunate in view of what has taken place. Every member in the Chamber knew and it was a subject of comment by the senior member for St. Thomas who was writing for the *Beacon*, and the Premier knew it, that that newspaper completely banned anything which was said by me in this Chamber and was thereby guilty of misrepresentation of the proceeding of this House.

I cannot support the motion made by the senior member for St. Joseph, because I have decided to take action on my own initiative against the particular newspaper, and I do not want anybody to fight my battles for me. I do not want to say anything more about that matter because it may be *sub judice*. I must draw the attention of the Officer administering the Government of this Colony to the remarks made by the honourable senior member for St. Thomas that he was not going to answer anything in this Chamber but he would answer it in the Press, and the absolute, insulting, vituperative comments made in the newspaper with which he is actively associated quite contrary to the Constitutional conventions of a democratic country. I am glad that Your Honour—

Hon. R. G. MAPP: On a point of Order; I want to reply—

Mr. SPEAKER: I do not think the honourable member can reply now.

Hon. R. G. MAPP: I am speaking on a point of Order.

Mr. SPEAKER: State your point of Order.

Hon. R. G. MAPP: The honourable member has said repeatedly that on numerous occasions I said that I did not intend to reply to questions which are asked in this House, but that I will take it up in the newspaper. I am asking the honourable member to quote one occasion on which I have made use of these remarks.

Mr. BARROW: I will produce evidence when I get into a Court of Law. Every honourable member knows that what I have said is perfectly true; I am not prepared to itemise the number of times on which the honourable member said it.

Mr. SPEAKER: I counsel the honourable member to speak more directly on the matter; and

any relations between himself and any other member may be discussed on another occasion.

Mr. BARROW: I thank you very much. If I had not been interrupted by the honourable member, I would have kept more strictly to the matter which is before the House at present; but I wonder how the honourable member in all seriousness and in the face of all the members sitting here and hearing him on numerous occasions—When I said on numerous occasions I was giving an indication of plurality I really meant on more than one occasion; I did not mean that the honourable member has adopted it as a general policy not to answer any question; but in due deference to you sir, I will leave this matter aside. However, it does seem that the honourable member should not be subscribing to the editorial columns of the newspaper after he has assumed Ministerial office; and what is much worst, that the honourable member should be committing such grave breaches of the privilege of this honourable Chamber by placing the worst possible construction on the debates of this Chamber—a privilege which Your Honour claims at the very outset of the Session.

Now Your Honour, I do not want you to feel that in any matter which affects the working of the democratic machinery and the preservation of our constitutional rights, that when matters of such dimensions—

3.45 p.m.

Mr. SPEAKER: The honourable member will remember that he is not giving me any suggestions; he is speaking on a motion. I have plainly told the House my position and what I expect the House to do.

Mr. BARROW: I was specific. I do not want Your Honour at all to have the impression that you, Sir, being the guardian of our rights and privileges, would not have my active and personal support when any issues of this nature and magnitude arise. But I must repeat that I consider it most unfortunate in view of the history of the relations between the Press of this colony and this Chamber, that Your Honour should have elected this particular occasion to draw it formally to the attention of the honourable members. Therefore Mr. Speaker, I think that just as effective a method would be for me to move that a Select Committee be appointed to consider and report on the offending article.

That is a motion I am making; and I do hope that if that amending motion is carried, the Select Committee will not consider its terms of reference to be in any way inhibited by the wording of the motion itself; and that the Committee will consider the general attitude of the Press of this island to debates of this honourable Chamber, especially during the Session which is now in progress, and especially since the inception of Ministerial Status.

Mr. BRANCKER: Mr. Speaker, may I take this opportunity of associating myself entirely with the sentiments which you have seen fit to express in connection with the behaviour and conduct of the newspapers, and the very frequent reprehensible attacks which they make upon members of the Legislature when they happen to disagree with those members, and particularly in connection with any sentiment which may have been expressed or which was expressed in any newspaper whatsoever, which is disrespectful or in any way contemptuous of the dignity of the Chair of this Assembly.

I regret that I have not perused the article to which you have referred; but I feel it is incumbent upon me to support the sentiments which you have expressed, since I am of the opinion that the Chair is to be regarded with the dignity which must be

attached to the Chair of an ancient Assembly such as this. As a matter of fact Sir, the honourable and gallant member for St. George has referred to the acts of omission of a section of the Press, and that Sir, in my view is almost as deplorable as the commissions which are so frequently perpetrated and perpetrated by the Press. Whatever may be the grievance or the course of dissatisfaction which may exist between certain members at the Press table and a member of this House, to talk Sir, of excluding his name and his speeches from the Press for twelve months and sending him to twelve months' oblivion, is the sort of thing which would never happen in any civilised community or in any community where there is more than one daily newspaper. This is arrogance which is due to the fact that there is only one daily newspaper; and also that newspaper regards itself as being favoured by the Government, being in the capacity of doing the Government printing in this island. It seems that they feel that they may do as they like with impunity.

As you have reminded the honourable and learned member for St. George, you have made your statement. We all appreciate it; and I have no doubt that you will uphold the sentiments expressed; but when it comes to supporting the motion of the honourable and learned member for St. Joseph, I will say firstly, as I have often heard him say, it has been sprung upon me and I presume that it has been also sprung upon Your Honour.

From what I could take down of the motion which the honourable member made, it was that you summon the Editor of the *Advocate* before the Baggage House to show cause why he should not be sensible! That is what I understood the Premier to say; and it may be due either to my hearing or the acoustic properties of this building if that was not what he said. I would not support this motion as it stands; firstly, because although the honourable member would stake his reputation as a lawyer that this can be done, as I am still in practice, I will not stake mine as to whether it can be done. [Laughter].

I am not at all convinced that it can be done; we can summon him but if the summons is disobeyed, I do not know what is the equivalent in Barbados to the Tower of London. I am not saying that I cannot be convinced, because a lawyer is always open to be convinced; but for me to decide now that we have a power which I do not agree that we possess, I could never be expected to support such a motion. In any event Mr. Speaker, even if we had the power, it would be necessary as an indispensable pre-requisite that we be supplied as a Chamber, (quite apart from what some of us may have read or seen) with a copy of the article or articles in respect of which (I presume it is in respect of a specific article) which is not before us, and of which we cannot take judicial notice even if we had read it.

I have not read it; and I cannot vote for summoning the Editor to the Bar of this House in respect of an article which I have not read, and of which I do not have a copy before me. That Sir, is my position; and I am submitting that the articles should be put in the hands of our cyclo-stylist so that each of us may be supplied with a copy.

I cannot see my way today to support the motion made by the honourable senior member for St. Joseph on those two grounds; firstly my lack of knowledge of what the article contains, and secondly, the fact that I am not convinced (although I am not saying that I cannot be convinced) that we have the power to summon the Editor to the Bar of the

House and compel him to appear in answer to the summons. That is my attitude in this matter. 3.55 p.m.

Mr. MOTTLEY: Mr. Speaker, I am among those who believe in the high dignity of a Speaker of this ancient and honourable Chamber. You are elected to that office by the representatives of the people who are elected here on popular votes, and should be respected. I am among those who feel that despite whatever differences of opinion we have with Your Honour, if you err on any matter, you have erred in good faith. When you mention this article I must plead guilty of being among those who due to pressure of business, did not read it until you mentioned it; I have not had chance enough to digest it properly; I have so to speak, just run through it. If I understand Your Honour correctly, you made reference to misrepresentation of the facts as to what took place in this House, in the leading article of the *Advocate* of today. I would say that if it were a misrepresentation of a fact, so long as it was not done with any design to hurt or to constitute a breach of private privilege as to merit the Editor being summoned before the Bar of this House (even if we can summon him before the House) we should view it in that light. I am asking Your Honour for guidance; is it a misrepresentation of fact or is it a criticism?

Mr. SPEAKER: I have told the House that it was a misrepresentation of fact; owing to its omission of the fact that later in the day's sitting I made reference to the conventions, and I told the House then that it had absolutely nothing to do with my ruling. I told the hon. junior member for Christ Church that he could proceed with the matter, and I quoted from May's; therefore, when that was omitted from the leading article in today's newspaper, it was the grossest misrepresentation of the fact of the debates which took place in this House last Tuesday. That article completely ignored what happened in the last part of the proceedings of this Chamber at the last meeting thereby giving the public an erroneous impression of what took place.

Mr. E. D. MOTTLEY: I quite appreciate Your Honour's feelings in the matter; but I am prepared to say with your permission that I know as a fact that when Your Honour had discovered that there was some misunderstanding, Your Honour did intimate to the Leader of the Opposition what would be the position. Let us assume that there was an omission of the facts; any member of this House must appreciate that reporters of all the newspapers have periods of work in this Chamber and change from time to time after working for an hour or so. It appears to me, after reading the article in today's newspaper that the report of the leaderwriter was based on what took place in the early part of the day's session, and not what took place later. The same reporter who reported the first part of the day's proceedings may not have known of what took place in the latter part.

Mr. SPEAKER: Today is Thursday, the House met on Tuesday and I made the statement on Tuesday night.

Mr. E. D. MOTTLEY: Your Honour is correcting me but I have not finished. I am trying to lead up to the point where if the latter part of your Ruling had appeared in the Press and that journal had reported the proceedings of the whole matter which was before the House and this article was then written with that part of your Ruling omitted, I would unhesitatingly agree with Your Honour that that was an omission which was purposely done. I re-

peat, if the reporter of the *Advocate* had taken the last part of your ruling which I understand was given around 12 o'clock (midnight).

Mr. SPEAKER: The hon. member is saying that my ruling was given at midnight. He is erring again.

Mr. E. D. MOTTLEY: I do know that Your Honour did intimate privately to the Hon. Leader of the Opposition earlier what would be your Ruling but when you gave it I had left the Chamber already. The Hon. Leader of the Opposition said that you gave it when the House was about to adjourn; that was about five minutes to twelve.

Mr. SPEAKER: It was not given at five minutes to twelve.

Mr. E. D. MOTTLEY: I am suggesting that it would be after half past eleven. I want to be quite fair on this matter.

Mr. VAUGHAN: I rise on a point of Order, Mr. Speaker. You made two statements: one soon after prayers, and one when the House was about to adjourn. Which one do you refer to?

Mr. SPEAKER: I am referring to the second statement.

Mr. E. D. MOTTLEY: The facts are very simple. I am prepared to uphold and maintain the dignity of Your Honour's position. I would say if the statement which Your Honour made last had been published and included, so to speak, in the newspaper and the leaderwriter had left it out of his article, it would seem to be a malicious act.

4.05 p.m.

At three o'clock in the afternoon the debate started and the Minutes will prove that Your Honour did make a statement to the effect that Your Honour would have to be re-acquainted with the facts of the conventions which might have led up to this matter. If Your Honour had gone further and had made the statement to the effect which you made to the Leader of the Opposition then and that statement was published and this article had carried the same tenor, then it would be malicious. At three o'clock in the evening a debate goes on lasting until after five o'clock and it is adjourned; a team of reporters take the report; here in the House we have had to get typists and stenographers to take these notes, because of the volume of work. These newspaper reporters report back at the office and it is that part of the proceeding which appears in the Press; it is from that report that the article is written; there is no Hansard. Between 11.30 and 12 o'clock Your Honour made a statement; if Your Honour could satisfy me that one reporter reported that part of Your Honour's statement to the *Advocate*, and it was wilfully left out of the Press and they wrote what we have here —

Mr. SPEAKER: The hon. member is demeaning as if I am entering the debate; I am not entering the debate, I will not be concerned with any invitation or challenge to enter the debate. I have spoken to hon. members and they will act accordingly. I have already told the House how my position stands.

Mr. E. D. MOTTLEY: I am not trying to bring Your Honour in any debate; Your Honour has made a statement and I take it that you are granting me freedom to express the view which is mine. The question therefore in my opinion, is whether what Your Honour complains of was a wilful omission and whether we are satisfied that there is any malice in it. There are omissions and omissions; because some omission seems to have been made which on the face of it (unless it was right side by side with this Editorial) would seem to hold Your Honour

up to ridicule, it would be rather simple in my opinion now that the matter has been brought to the notice of this Chamber, and now that it has been brought to the notice of the *Advocate*, if they should not write that portion of Your Honour's ruling which was made later in the proceedings. Out of common decency and honesty the *Advocate* in my opinion, should print that portion of Your Honour's Ruling and give it similar publicity as this article has had. I am one of those persons who believe that that would settle this matter; on the other hand what is the real, true position? I do not want Your Honour to think that I am in anyway criticising your decision; those of us in public life must make up our minds to submit ourselves to public criticism, some of it justifiable and some of it unjustifiable. What the hon. junior member for St. Peter has had the courage to say is what I immediately asked; as soon as Your Honour mentioned the question, I referred to the Leader of the Opposition. I am not prepared to vote for the motion made by the Premier. I am not concerned even with the dogmatic way in which the Premier has put his views; I am not thinking of it from the angle from which the hon. and learned senior member for St. Lucy has put it, but what I am concerned with is what the hon. junior member for St. Peter has said. I am among those members of this House, and I smile at it because on Saturdays when I take up the *Beacon* and I do not see any criticisms of myself, I ask myself whether I really went to the House of Assembly; that has been going on for the last ten years and I have been winning a seat all the time.

I am not afraid of criticism. When I took the *Beacon* to task on that occasion (and that is where I will have to disagree with the *Advocate* at times) Your Honour reminded the House that it was your duty to be impartial; and on that occasion Your Honour ruled in favour of the Opposition and against the Government; because Your Honour's Ruling was—

4.15 p.m.

Mr. SPEAKER: I would like to inform the hon. member that I never ruled against anyone or in favour of anyone else.

Mr. E. D. MOTTLEY: I will withdraw that.

Hon. G. H. ADAMS: If the hon. member will give way, I am perfectly willing to accept the motion for a Select Committee.

Mr. E. D. MOTTLEY: But I am still speaking.

Hon. G. H. ADAMS: It will save time.

Mr. E. D. MOTTLEY: Why did not the hon. member think of that just now? I apologise Your Honour, if what I said appears to mean something different from what I intended. What I should have said was that Your Honour's ruling seemed to be in agreement with a motion made by persons outside the Government's party, the party to which Your Honour has the misfortune to belong.

I was surprised when I took the *Beacon* up and saw the blistering criticism which that paper gave to Your Honour; for that paper, Your Honour was the worst man; a little dirty boy who did not know anything about being Speaker. That is the kind of attitude adopted in the *Beacon*, in the newspaper run by the party to which you belong.

I have told the *Advocate* and everyone, that the Speaker, impartial as he is, knows that I do not take a flogging sitting down, and he has got to keep me in check at times; I do not object to that; it shows respect of character. But because Your Honour on that occasion had to give an opinion contrary to the members of the Government, they took the *Beacon* up and blistered you.

I feel, Mr. Speaker, that the *Advocate* should be called upon to publish side by side with the article,

the actual ruling which Your Honour gave after 11 o'clock last Tuesday night, that would be fair, and would meet the situation. If the *Advocate* came out with any dishonest misrepresentations of the facts of what took place in here, I would be the first to say we must call upon them. I do not know what the legal luminaries will tell us; I do not know whether we can call upon the *Advocate* or not; and therefore, I am not prepared to talk about summoning the Editor.

A few weeks ago the *Advocate* in their leading articles seemed to be against the Government; a few weeks before that, they seemed to be in favour of the Government. If this particular case had occurred before the Editorial dealing with the Minister of Communications, the Premier would not have said what he said today. I am not getting into any political vendetta with any of them; I see the wisdom in the withdrawing of the Premier's motion.

I am going to be as strong as this: I think that the *Advocate* should be honest enough to publish Your Honour's Ruling which they have not published; and then the general public would see that Your Honour held the scales evenly in the entire matter. There was nothing wrong in Your Honour saying that you were not acquainted with the facts, and that therefore, you should be given time to so acquaint yourself. In addition, Your Honour like an impartial Speaker said, these are the facts and the hon. member should be allowed to go on. If some reporter of the *Advocate* in the House at the time failed to report that Ruling, do not lay blame on the *Advocate* as an organization.

I am not always able to read the paper every day; only last night I got a telephone message asking me how I could say that at St. Michael Girls' School a girl of 21 years was teaching a class of 80. What I had really said was, that in St. Michael, I know a girl around the age of 21 who was teaching a class of around 80 children.

I know Your Honour well enough to believe that you would not take umbrage at fair criticism; this occasion has served a good purpose to bring this to the notice of the House. Do you know Mr. Speaker, how often people come to me and say that the *Advocate* seems to report everything that the Premier and certain Ministers do? That is a matter for them. Some people say that the *Advocate* is a labour organ; that is a matter of opinion; therefore, I am surprised at that attitude adopted today.

I am inclined to agree with the hon. senior member for St. George that a Select Committee could find out whether the reporter who took the Ruling reported it to the leaderwriter, who wilfully refused to publish those facts which were staring him in the face. If it were proved that that is what happened, I would be the first person to join in the battle; I would be the first person to do that, if the *Advocate's* Editor maliciously criticised you. I am speaking about fair criticism—because you are there to be criticised, and this Chamber is here to be criticised; all public men must be criticised. But if I thought that the *Advocate* newspaper would maliciously and wilfully misrepresent the facts (I see it differently from the Premier and other hon. members) and hold you up to ridicule I would join in the battle. Because just as I told the Governor or the Colonial Secretary that I would not stand for you to be reduced to the level of Police Commissioner when Royalty came here, I would not stand for you to be ridiculed by the *Advocate*, because of what you are in this day of dispensation.

While I say that I am not standing for any nonsense; I am not agreeing with anyone to summon the Editor to the Bar of the House; let us look at things fairly and squarely. I will second the motion made by the hon. senior member for St. George that a Se-

lect Committee be appointed to go into this matter. I will repeat that this discussion should have done some good especially to the *Advocate*. Reporters will no doubt realise after this that when they are sent in here, if they take something out of the proper context the facts must not be misrepresented; they will realise that they must work in harmony and co-operation with each other.

I am sure that Your Honour will always be as approachable as you are now unlike some other hon members who have got their heads swollen; and any Reporter who does not understand well anything you have said, can telephone you at your home or at your office and you will put him right upon any important statement of fact.

I am sure that you still occupy that same humble position in thought, although you are exalted to this very high position in this ancient Chamber.

4.25 p.m.

Mr. LEWIS: I rise on a point of Order. Mr. Speaker, if I understand correctly, the hon. member has seconded a motion accepted by the Mover of the substantive motion.

Hon. G. H. ADAMS: With the greatest respect Your Honour, I did accept that motion and I did so at that moment to save time. I am not prepared to accept it now.

Mr. E. D. MOTTLEY: I can go on talking until morning; this is my mouth. The hon. member is saying, because you did not do so and so—He cannot put me across his legs and strap me!

Mr. SPEAKER: I am appealing to the hon. member to concern himself with the motion. I would exalt this Chamber to confine their remarks to the motion and do not allow any matter from any hon. member to thwart their speeches on the matter.

Mr. E. D. MOTTLEY: Mr. Speaker, it is really pleasant to hear Your Honour say so. When one's ire is raised, one sometimes think it is better to flash things out. There is no reason why because the Hon. Premier said he was going to accept something and I did not sit immediately, that he should have adopted that attitude; that attitude cannot work over here; it can only work with the people who depend on the Premier for a living.

Sir, I feel it would be infinitely better for a Committee to go into this matter. Let us face facts; I am dealing with preventing reporters from coming into the House. Now you have one daily newspaper in this country; and you can say at least that it brings the facts, and it is impartial. If you go the length to say you are denying the reporters of the daily newspaper from coming into the House of Assembly, who are you hurting? You are hurting nobody else but the general public. I am of the opinion that some people seem to get drunk with power and have an inflated sense of their own; we must respect other people's opinion. We must respect some people for their age and some for the position which they occupy in life. I say again, if you go the length to say do not have any reporters of the only daily newspaper coming into this House of Assembly, it would be a sorry state of affairs for Barbados when only the *Beacon* starts to publish the reports. Fortunately for the general public, there are only four hundred copies per issue of that newspaper published; and of that number nearly two hundred are given away! It is with great respect to your position that I say we should not go at any such length. And it is now, I have been told by members of the public that they actually depend on the Other Place to know the true state of affairs as to what is going on in this country; that has been told to me on more than one occasion. Especially do they like to see published what

has been said by the Chief Secretary who takes charge of Government Business in the Other Place. You know Mr. Speaker, that on such occasions, you see statements made in this Chamber and in the Other Place you see the Chief Secretary making statements of another sort.

Under the circumstances Mr. Speaker, (and I am sure you have confidence in the views which I express) I am going to support the motion for the setting up of a Committee to go into this matter. Finally before I sit, what will the general public say if we summon the Editor of the *Advocate* here for the omission of something, and fail to summon the Editors of the *Beacon* to come to the Bar of this House for making greater errors relative to Your Honour's office? I have heard on an occasion that something was published in the *Beacon* with regards to Your Honour and that you had an absolute case of libel. [Mr. SPEAKER: That is not the only paper] I know that. If the newspaper were the *Advocate*, presuming that that company would be able to give something for damages, Your Honour would have taken action, but unfortunately, the little *Beacon* has absolutely nothing to give, and that is why you allowed that libel to pass by. Mr. Speaker, I am seconding the motion that this matter be referred to a Select Committee.

Mr. E. K. WALCOTT: Mr. Speaker, I was not here at the beginning of this session, so I did not really hear what motion was put; but I understand it to be a motion for the summoning of the Editor of the *Advocate* to the Bar of this House. Well, like the hon. senior member for St. Lucy, I hesitate to give an opinion when I have had no chance to refresh my memory on things which were dealt with a few years ago; but to my knowledge we have no power to do that. You will find that I am right in saying, if you look up law books on Colonial Legislatures, you will see that the power of summoning to the Bar of the House is *lex et consuetudo parliamenti*, and does not belong to a Colonial Legislature. It only belongs to Great Britain alone.

4.35 p.m.

I would naturally like to refresh my memory on that; I know that nobody has ever been summoned to the Bar of this House in my time which dates back to 1925. I would like to look up this matter; if colonial Legislatures want to add powers such as this, these powers must be included in their Act, and the only Section which we have is Section 59 of the Representation of the Peoples' Act 1901—1 which says this:—

"If any person who on any occasion whatsoever may appear before the General Assembly shall misbehave himself towards the said Assembly or any of the members thereof, either by uttering any unhand-some language or otherwise, during the sitting of such Assembly, the Speaker of the said Assembly shall have and hereby have full power and authority to commit every such person to Glendairy Prison . . ."

That is the power which we have. We have not got with us Mr. Caddle who used to act as Librarian of the House, otherwise he would be able immediately to put his hand on the case of Allan Crony in which case the House complains of some equivalent to libel which was written by Mr. Crony. I am speaking off the record; but I think what the House did was to draw the matter to the attention of the Law Officers of the Crown and the Government, and asked that they investigate the question as to whether or not some member or members of the Assembly had been libelled in some written document; and in that case, to take the necessary criminal action. I think that the matter went to the Court of Grand Sessions for Criminal libel and it was settled, I think, by the

necessary apology made at the necessary time and in the necessary place. We can pass any motion we like; but we do not want to pass any motion which would not be effective. There is no method of summoning the Editor before the Bar of this House, if I am right; and we will be utter fools if we were to pass a motion saying that we will summon somebody before the Bar of the House. I presume the Marshal would be the person whom you would send; I do not know if we would send a writ or a letter; and then when the Marshal got down there at the *Advocate* he would be told to scamper out, and we would look like fools. Therefore, I say let us go slowly on this matter; if it can be done, let us have the discussion after we have looked up the matter and deal with it in due course and maintain the dignity of the House. If we find that something has been done with which we do not agree, if it has been moved that we go to a Select Committee with this matter, I think that that would be the best way to deal with it. If the Committee were advised that they had the right to summon people to the Bar of the House, instead of our haste and anger doing something which might be wrong, we would be doing things calmly and deliberately; having given it due consideration, and having evidence as to whether or not there is any excuse or reason which could be made for any misrepresentation which has taken place. I hope that we will do it in that way, that we will deal with the matter in due course; that is all I can add at this stage. I do not intend to enter any dispute; I do not think we should insist on airing views one way or another which will not do us or the island any good. I do not think it can do any harm if we have a Committee appointed to deal with this matter in due course.

Mr. LEWIS: I think in view of the fact that the first motion has not been withdrawn or substituted for the original motion and merely an amendment has been made, I think I should say something on this motion.

The first thing I would like to say is that it is rather unfortunate that while we are discussing this matter and naming a particular man, that this man is being lowered in his grave. I feel quite sure since we are summoning the Editor to the Bar of this House, that if our efforts prove futile, it would be a fitting climax to a grave question. I think I am willing to vote for the motion which does not preclude the first motion coming on (if after as a recommendation from the Committee that can be done), if somebody can be held responsible and if the Editor's successor can be held responsible for something which has happened while he was not the Editor. The motion mentioned somebody who is being lowered into his grave; it does not say his successor.

It is unfortunate Sir, that the recommendation you made to this House was not accepted; Your Honour has taken exception to an article that does misrepresent what Your Honour did; and no one can say otherwise. Your Honour recommended a course of action to this House by which we could uphold the dignity of your high office and uphold your own dignity. We should not follow anyone and do anything by which we would be running the risk of making ourselves look ridiculous. If the hon. senior member for St. Joseph is willing to risk his reputation as a lawyer, I am not willing to risk my reputation of sanity in following him blindly in one of those cases where fools madly rush.

There is no greater offender against the dignity of the Chair of this House than the hon. senior member for St. Joseph. [VOICES: Hear! Hear!]

4.45 p.m.

Mr. SPEAKER: I would like the hon. member to concern himself with the motion that is before us,

and not go into cases in which the hon. senior member for St. Joseph is presumed to have offended against the dignity of the Chair.

Mr. LEWIS: There are instances on record where you have had to threaten action as a result of offences by the hon. member. There are many instances surrounding this by which you would look ridiculous, apart from the fact that we might not have the power to send for the Editor. The hon. senior member for St. Joseph has influenced a weekly attack on the members of this House through an organ that has persisted in a remark that he himself withdrew.

What has really happened to this House is that there have been attacks on the Speaker and the members of the House, which we have been too slow in taking up as members of the House; we do not regard an attack upon you or upon a member of this House as an attack upon this House. Your Honour has been refused admission into a Hotel in Bermuda and the people of British Guiana took it up; we did not. When a similar thing happened to the Premier he was surprised that it was not taken up; but it should have been taken up by him. The Premier has been suspected in the U.S.A. as being a Communist and has been grabbed and thrown out by the immigration authorities, and this House sat tight and did nothing about it. [A MEMBER: Because we knew it was true!] [Laughter.]

Mr. SPEAKER: Asides of levity can be appreciated at times; but when an hon. member is seriously debating a matter, I would not like him to be interrupted by such asides.

Mr. LEWIS: This is a very serious matter. No political differences or any other considerations should divide this House when it is fighting for members who have been attacked. The Hon. Premier claims to be a constitutional lawyer and to have great knowledge; when an attack was made on one of the servants of this Government by the Head of the Administration, the Hon. Premier told this House that it had no right to send for witnesses in the case of Colonel Duke. He was proved to be wrong; if he were wrong on that occasion, he may be wrong now. It did not suit the hon. member on that occasion to offend the Governor or the Colonial Office.

Hon. G. H. ADAMS: I was not even in the island when the Colonel Duke affair took place. When subsequently there was talk of the Committee sending for witnesses etc., I remained absolutely mum.

Mr. LEWIS: If I had thought that he was going to deny that, I would have brought the debate and read it to him. As I take it, the purpose of this debate is to protect you and find out what rights the House has. There are members of this House who when one particular newspaper attacks "A" or "B," other members who are of different political complexion and who disagree politically with those who have been attacked, glory in the attack; I have seen it happen week after week.

There are many things that should be taken up by responsible members of the House like the Premier and the Leader of the House; but they are not taken up; they believe that we can concede our rights and then regain them in the distant future. That is dangerous. I am willing to support this matter, but I would counsel Your Honour respectfully; and I would with due deference suggest to Your Honour that you should hand a copy of that newspaper to the Clerk so that it can become a document of the House; I would like to see that done. I remember that on previous occasions a Speaker of this House complained about an article in a newspaper and he cut the article out and handed it in. It was pointed out that that was a wrong thing.

Mr. Speaker, I read the article early this morning, and I can see where the misrepresentation was made; but I must say, that I myself know of extenuating circumstances such as one reporter being here at one time and another coming later on and not following up what took place. It is carelessness; and it is very unfortunate that we only have one daily newspaper; many of the other newspapers have no reporters and they have to take clippings from the daily newspaper and reprint them.

4.55 p.m.

I do think that a word to the wise would be sufficient; and if it is drawn to the attention of the Editor of the newspaper, that he has misrepresented you (and that is the consensus of opinion in this House that he did make omissions) it would serve a useful purpose. After all, that is not the only newspaper that has misrepresented you or which has put a different construction on the debates in this House; there are other misrepresentations made by other newspapers which are very bad indeed.

I am glad to say that Your Honour will stand exonerated from blame, when reference is made to the Hansards of this House.

We cannot expect to have freedom of speech in this House, and not to expect to have somebody given freedom of criticism; and it is a fact that the Press has a great responsibility to the public. I do feel that the imposition of any restrictions on the Press, except for decency and honesty, would place a brake on our proper representation of the people; and for that reason, I am going to support the amendment.

I am going to suggest, if the honourable Mover and Seconder of the amendment would accept it, that a comprehensive survey be made by the Committee, perhaps that may come out of the matter, therefore I will not press it. Sir, I am sorry that this debate has taken the House so long to decide one way or the other, but I am going to appeal to honourable members, if they have an interest in the dignity of the Chair of Mr. Speaker, that they will in fairness to themselves investigate the position and see how the it can be remedied and do nothing to show themselves up.

Mr. CRAWFORD: Mr. Speaker, the only reason why I would support the amendment is if it were amended to include the Editor and the Associate Editor of the *Beacon*; because that newspaper has consistently attacked members of this House and has even libelled them; it has even questioned your Ruling as Speaker. Because of that, it would not be fair to single out the *Advocate* and leave out that newspaper.

There are two offending points in the article in question; one was due to ignorance, because apparently a reporter failed to report the Ruling given by Your Honour just around midnight, and the other was due to a mistaken idea of Your Honour's position with respect to privilege. Your Honour is quite empowered to postpone any such privilege in order to acquaint yourself with the facts concerning it; but apparently the Leaderwriter of the *Advocate* was of the opinion that the motion should have been dealt with.

There is no doubt about it, the sound logical and sound appeal made by Your Honour at the beginning of the debate would have ensured the support of almost every single member of this House; but unfortunately, as has been said before, as soon as the honourable senior member for St. Joseph entered the debate, the whole tenor has changed. Sir, you have seen on the floor of this House no honourable member who has so persistently and unconstitutionally challenged your own Ruling as he has: he has

refused on many occasions to give way to your Ruling. As a matter of fact, within living memory, he has been the only honourable member in this Chamber to be named for refusing to obey a Speaker; so for him to be insisting on strict observance of the rights of this Chamber is just a farce. I know that one time he was quite willing to risk his reputation as a lawyer and summon the Editor to the Bar of the House, yet a little later he withdrew that motion and accepted an amendment; now he has changed; and I strongly suspect that it is due to the fact that there is a certain numerical addition to the voting strength of members of the Government in this House. I strongly believe that he was willing to risk his reputation, because the Editor of the *Advocate* has since died, and therefore we would be sending for a corpse. It matters not to him whether we are legally empowered to make the Editor appear.

Now, Sir, I am strongly entitled to the view expressed by the honourable junior member for St. James; that if the Barbados House of Assembly had any such power, it would have been put in the Representation of the People Act or some such Act. It is well known that both Houses of Parliament (the House of Commons and the House of Lords) have the power to summon people to the Bar, but this House has not that power, and I have been checking on the matter since this debate started. What are the constitutional powers of colonial Legislatures? As the honourable junior member for St. James has said, unless we had made provision for it in a local Act we have not the right to do so. The constitutional powers of colonial Legislatures are laid down in the Colonial Validity Acts; and it is specially stated that colonial Legislatures are empowered to make laws in respect of constitutional powers and procedure provided that the laws are based in such a manner and form, as from time to time required by any Act of Parliament. Any law passed by a colonial Legislature with regard to the power of the Legislature must be equivalent to any Act of Parliament. The position is, that any law regulating the laws of our Legislature, would have to be passed by the Legislature itself; and of course, we cannot pass any that would be repugnant to any Act of Parliament.

Inasmuch as we have not passed any such Act, we have not got the power; and if we want that power we must bring in an amendment to the Representation of the People Act and give ourselves power to do it, which I think we can do. But since the British Parliament has it, there is no reason why any colony which wants it should not give itself the right to it. I am not prepared to support the motion for summoning the Editor to the Bar of this House, because I am not satisfied that there is anything which enables us to command that such and such a person be summoned to the Bar of this House and make him appear.

5.05 p.m.

Hon. G. H. ADAMS: Mr. Speaker, I would not have replied if it were not for the fact that although the honourable junior member for St. James did say he would like to look up the matter, he yet made use of an expression which seems to have persuaded some laymen of the House absolutely against this motion. Let us take the question of libel and slander; there are some lawyers who say that a colonial Parliament has not got the privilege of free speech to the extent, that you have to plead that you have no absolute privilege. I have not had the time to look up the matter as thoroughly as I would like; I was looking it up last night. I want to quote the last edition on Constitutional Law which used to be

a student's book, but which is now useful even to grown up students: "Colonial Legislatures are not endowed with privileges of the British Parliament."

Mr. CRAWFORD: Is the honourable member prepared to make that document a document of the House?

Mr. SPEAKER: It is already the property of the House.

Hon. G. H. ADAMS: The trouble is not that honourable members do not know a lot of things, but they know them wrong. When the Speaker of the House goes to the Governor at the Opening of Parliament and lays claim to the rights and privileges of the House, he says he is laying claim to the ancient privileges of the House: freedom from arrest and so on. The same thing happens in the British Parliament, this means that there are certain rights and privileges which all Legislatures are entitled to in order that they may function properly. There are a lot of precedents affecting colonial privileges over a number of years in which opinions have been given as to what colonial Legislatures can do and what they cannot do. You will find that an opinion has been given as to the Legislature of Barbados; you will find opinions given as to whether Jamaica or Barbados is to do such and such a thing. The Legislature of this colony attempted to punish a member for not attending meetings of the House, and the opinion was then given that it was a high misdemeanour and he should be prosecuted; and when the matter went to the Assembly, the Assembly asked the Crown to do the prosecution. You will find another opinion given as to the powers of the House; and in connection with the one I have just quoted, the same thing was said. I entirely agree with the honourable member who asked has the Speaker the right to send people to prison as the Speaker of the House of Commons has the right to commit people to the Tower of London? The answer is "No"; it was not necessary for a colonial Legislature to go to that extent. We have passed an Act that the Speaker can commit a person to prison if he misbehaves himself in the House. You will find hundreds of cases; I have seen gross libel in the *Advocate*; and I will say that if what has happened here had happened in England, the Editor of the *Advocate* would be in the Tower of London; but we have not the power to do that. He has to come into the House and misbehave himself so that Your Honour could commit him to prison. All these matters have been threshed out; it comes to this: if you did something which was fought out in a Court of Law the Court would say that this is necessary and the other thing is not necessary. No human being could find any authority for saying that my motion is out of order. All we are saying is this: (you can pick up a "May" and read it) to question the impartiality of the Speaker is a gross mistake, and to say that he comes down on the side of the Party of which he is or was a member, is something of which the House must take notice of.

5.15 p.m.

I am saying sir, that unless we are prepared to assert the dignity of the Chair, we are doing nothing! I am perfectly willing to meet the offenders half way; we can do that and accept an apology if we like. But unless we are willing to assert the dignity of the Chair, we may as well constitute ourselves as a beer garden and not a House of Assembly. I do not care who is offended; let the offenders be punished.

This debate has drifted from a specific thing which Your Honour has put before the House, into attacking other newspapers and attacking the hon. senior member for St. Thomas. I am not going down that blind alley; I am not running along the lines of

that particular tangent; all I will say is: as far as this matter is concerned, party politics have nothing to do with it. No one should be allowed to offend against the dignity of the House of Assembly, an Assembly which is older than the U.S.A.; we should all join together irrespective of party to maintain the dignity of the Chair. [Cheers].

I agree entirely with the hon. junior member for the City, who has said, that the article should be put in; but no one reading May, or Dicey or Anson can say that this is not one of those things offending against the dignity of the Chair, and which is gross contempt. You can of course be generous towards the offenders; but the dignity of the House must be above all other considerations. I agree with those who say that if we can settle this amicably, if the offending people can be brought to see that they made a mistake, we on this side are willing to meet them half way or more than half way; but we will not withdraw from the position of going on record as saying this is the gravest contempt of the House, and also saying that the customary steps of summoning the Editor should not be taken.

If a member of this House were to slander this House outside of this Chamber, when he comes to take his seat, he could be called upon; and if he did not come to the House he could be summoned to come on a particular day. Mr. Speaker, I have to keep a really firm hold on myself not to become an insufferable prig. Let members if they find the time go to their solicitors or their Barristers, (at least to some Barristers) and let them look up the law and say what is the position on the question of privilege in the Barbados House of Assembly. Sometimes lawyers differ, but what they do not differ on is this: anything that is construed as contempt of the House and which will prevent the House from exercising its normal functions can be punished in any way that the House likes. If it is something serious, or if it is something calling merely for an apology that is a case of contempt and one that can be punished. Over and over again it does not reach that stage, because the offender says that he did not really mean to be contemptuous, that he is sorry, and that he withdraws. That happened in the House of Commons when a lady member made offensive remarks about something that was before the House; she got up, apologised and withdrew the remarks, and that was the end of that.

I say again that in these particular circumstances we would be more than willing to meet the *Advocate* half way. I am addressing the remarks more to the *Advocate* than to the House; they should see that it is the proper thing if this House takes exception to something that looks like lowering the dignity of the Chair, to say that they are sorry; but I have no intention of withdrawing my motion.

Mr. SPEAKER: There are two motions before the House, the latter of which I will put first. That motion is that a Select Committee be appointed to go into this matter.

Mr. BARROW (*Sitting*): May I know what the first motion is?

Mr. SPEAKER: I will ask the Clerk to read it.

The motion was read as follows: that the Editor of The Advocate be summoned to the Bar of the House to show cause why he should not be censured or otherwise dealt with.

Mr. SPEAKER: The question is that a Select Committee be appointed to go into this matter. Hon. members in favour will please say "Aye" and those against will please say "No" I think the "Ayes" have it.

On a division called for the question was put and decided in the negative the House dividing as follows;

"Ayes": Mr. BARROW, Mr. LEWIS, Mr. F. L.

WALCOTT, Mr. BRANCKER, Mr. CRAWFORD, Mr. TUDOR, Mr. ALLDER, Mr. E. K. WALCOTT, Mr. E. D. MOTTLEY, and Mr. GODDARD—(10).

"Noes:" Mr. SMITH, Hon. G. H. ADAMS, Hon. Dr. H. G. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Mrs. BOURNE, Mr. HOLDER, Mr. BRYAN, Mr. J. C. MOTTLEY, Mr. MILLER, and Mr. VAUGHAN—(12).

The question that the Editor of the Advocate be summoned to the Bar of the House to show cause why he should not be censured or otherwise was put and resolved in the affirmative, the House dividing as follows:—

Ayes: Mr. SMITH, Hon. G. H. ADAMS, Hon. Dr. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. R. G. MAPP, Mrs. BOURNE, Mr. HOLDER, Mr. BRYAN, Mr. MILLER, Mr. J. C. MOTTLEY, and Mr. VAUGHAN—(12).

Noes: Mr. BARROW, Mr. LEWIS, Mr. F. L. WALCOTT, Mr. BRANCKER, Mr. CRAWFORD, Mr. TUDOR, Mr. ALLDER, Mr. E. K. WALCOTT, Mr. E. D. MOTTLEY, and Mr. GODDARD—(10).

Mr. BARROW: I rise on a point of Order, Mr. Speaker. From my limited resources in the matter, I believe it is customary that when such a motion is carried, the Marshal of this House is instructed to bring the offending person to the Bar of the House forthwith, and he has to do it at a meeting of a House. Of course, I speak subject to Your Honour's ruling on the point; if I am wrong, Your Honour will correct me at the tea interval.

Mr. SPEAKER: I will look very carefully into that suggestion.

ADJOURNMENT

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

Mr. BARROW: I beg to second that.

The question was put and agreed to in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.
5.40 p.m.

On re-assembling,

GOVERNMENT NOTICE

Hon. Dr. H. G. CUMMINS: I ask leave to give notice of an Address. I am also asking leave to deal with it later in the afternoon.

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

Hon. Dr. H. G. CUMMINS: Mr. Speaker, I beg to give notice of the following Address:—

THE HOUSE OF ASSEMBLY

To

HIS EXCELLENCY THE GOVERNOR

The House of Assembly has the honour to inform Your Excellency that the Debates Committee in their desire to maintain a reasonable standard in the publishing of the Debates of the House require an additional Typist for the month of March to facilitate the reporting of the Debates on the Estimates. The House accordingly respectfully request Your Excellency to send down a Resolution for the sum of \$60 as a month's salary for the necessary Typist.

PRIVILEGE

Re: Minister of Communications

Mr. GODDARD: Mr. Speaker, I regret that on the last occasion when I raised the question of privilege, you delayed your Ruling until later in the night.

When you discovered that I had risen on a question of privilege you quickly realised that the position had completely changed, and after I had sat down, you would have permitted other hon. members to speak on that privilege. I do not wish to go over all that I said on the last occasion; but in order that we might get on to this question of privilege I think I should state the matter in outline again. On the 18th January, a Resolution which fell within the scope of the Minister of Communications was severely criticised in Committee, and after a very protracted debate, the Resolution was reduced by \$1 as a matter of dissatisfaction and censure on the Minister holding that portfolio. There was some delay owing to a ruling which had to be given by you on that very Resolution. As you will remember sir, towards the end, the hon. junior member for St. Lucy moved the passing of that Resolution; it was seconded by the senior member for the City and after the Resolution got back to the House, it was drawn to your attention by the Minister of Social Services and you reserved your ruling for a further date. I only mentioned that to show why we have not taken action before; we waited for a pronouncement from someone and none came. Today that very Minister moved a Resolution or a Bill under that portfolio and therefore, he still holds office. We were told at the commencement of the Ministerial System of Government, that not only the House or the Ministers, but the Government would obey the conventions of Ministerial Government as existed in the U.K. It is our understanding that when a vote of censure is passed on a Minister there is not much delay, and there is hardly any need for pressure from any quarter in order that that Minister may resign. I will refer to the Speech to the two branches of the Legislature from the Head of the Administration on that occasion; the particular matter is on page 3 and I will read it:—

"The Ministers will be responsible for operating a Ministerial System of Government in accordance with the several conventions set out or referred to in the dispatches that were laid before the Legislature with my Message No. 25 of 1953. In doing so, it will be incumbent upon them, and upon me as Governor, to follow the constitutional conventions observed in the United Kingdom, so far as these are applicable to our local services and to the constitutional position in Barbados as it will be under the new system."

The Speech goes on and I will read it. It says:—

This means, *inter alia*, that the Ministers will be expected to conform to the code of ethics that governs the Ministerial conduct in the United Kingdom; and I should like to say publicly that it took no prompting from me or from London to induce Mr. Adams and the Party he represents to accept the need for such rules of obligation among which I might mention the rule that a Minister must vacate any official post in a Trade Union or the Directorship of a public company."

That is among the conventions which exist. I was drawing the matter to the attention of the House, and I had intended taking it further (if it was not dealt with here) to the Head of the Administration and if necessary to the Secretary of State for the Colonies.

Now I am going to state something which happened yesterday and you Mr. Speaker, might probably have read it in the *Advocate*. I tried to get in touch with His Excellency the Governor; I telephoned the night before and asked his Private Secretary to call me; he did call me, but he could not get me that night because I was here until 12 o'clock. On the next morning I got in touch with him and told him that I wanted to see the Governor on Thursday morning and I stated my reasons as to why I wanted to see

him, and I also mentioned the delegation which I was bringing with me. He told me that there would be a meeting of the Executive Committee on Thursday and it was not likely to make an appointment on that day. I said that the matter was a matter of urgency, and that we would be prepared to come on Wednesday and we would put down all that we were doing. He telephoned me at my office and said he understood that I wanted to call on His Excellency with a delegation for the purpose which I stated. He told me that it would be improper under the new system of Government and according to the conventions we were following, for a single member or members collectively of the minority Party, to seek an interview with His Excellency on such matters. I was taken back, because I never knew those conventions existed. I telephoned again and questioned further about these new conventions. I am not a lawyer, I never will be a lawyer; and for that reason I had to ask him to explain further, because I was made to understand that we had the right at all times if proper steps have been taken, to have interviews with the Head of the Administration. I even cited recent cases since the introduction of Ministerial Status—where the hon. junior member for St. Lucy, the hon. senior member for St. Philip, the hon. senior member for St. John and another person who is not a member of the House, waited on the Governor after a meeting in Queen's Park. It also occurred to me that two members of this House (representatives of the parish of St. Lucy) sought and were granted an interview before the arrival of Princess Margaret, on the subject that St. Lucy should be included in the Princess' state drive.

6.25 p.m.

He informed me that under the new system it was not proper for him to take a delegation on this matter. I do not pretend to know these conventions; but if the Head of the Administration is going to observe them as strictly as that, I think there are other conventions dealing with the same matter that is before us which he should take notice of. I am told that the conventions concerning Ministerial Government are difficult to be located in any one place, and you may have to cite one case here and have it contradicted somewhere else, and that Parliament has to put their conventions right and uphold them.

It is my duty as Leader of Opposition to draw it to the attention of the House and to you as Speaker, that we consider this vote to be a vote of censure on the hon. senior member for St. Michael, the Minister of Communications and that it calls for further action.

In the early stages of the Ministerial System, we all knew as we have heard from the Press from time to time, that we have a very exalted constitution, and that we are far above the other Colonial territories. This has created an interest far beyond the shores of Barbados; I am referring to the matter under consideration. We are about to send the Premier and maybe a delegation to the sister colony of Trinidad very shortly to discuss certain matters of Federation. I think that in these early stages, we should be more than certain that we observe every convention that may apply to this House and to the Ministers under the new system under which we are working.

Without casting any reflection whatsoever on any sister colony or Government, we know what has taken place in a neighbouring colony; (I will not call its name, when I relate the circumstances we will all know) reports on certain Ministers were made and withheld, and when public pressure was brought and nothing was done, the whole thing degenerated into

ridicule on the part of the public. We do not wish that to happen here.

If the Minister is in his rights and should not resign, that is a matter for the authorities; but it is my duty to draw to the attention of everyone that we consider that a breach has taken place. I will ask the hon. members who are more able to deal with it from the legal and the constitutional side to express an opinion; because this matter has reached alarming proportions and the public are very disquieted about it. I hope that this matter will be taken seriously, and that all members who express an opinion on it will keep it on the level that I hope is deserving of this Chamber.

I was surprised sir, when we were told yesterday rather suddenly by the Head of the Administration through the Chief Secretary, that he felt it improper for us to wait upon him in this matter. I will go further and say that I think the House should know that as I see it, in future not only with matters dealing with the Ministries but on any matter, it is unlikely that you will have members outside of the Government's Party getting an interview with the Head of the Administration; that is how I take it. I do not know if the Head of the Administration is observing these conventions in some manner which is new and strange to us; but I would say that if these conventions are to be observed as rigidly as that, I feel that there has been some neglect in observing a particular one; which is causing this entire matter to exercise the attention of the House and the public.

In the circumstances, Sir, I beg to move that the entire matter be drawn to the attention of the Head of the Administration.

Hon. G. H. ADAMS: On a point of Order, Mr. Speaker. Will your Honour repeat what you said on the last occasion? I was under the impression (I am absolutely neutral with regard to what you said) that I heard Your Honour say you would not allow a question to be put. It was a bit of a surprise to me to hear the motion that has just been made in view of what I remember Your Honour to say.

Mr. SPEAKER: I distinctly said that in order that a sustained debate be kept up, a formal motion would have to be made. Therefore, the Hon. Leader of the Opposition had to include some formal motion; but this motion is not one on which a division need be taken although other members can speak on it. It will be seen from page 399 of May's Parliamentary Procedure that—

Hon. G. H. ADAMS: I got that impression on the last occasion; but I quite agree with Your Honour. I am not complaining.

Mr. LEWIS: Speaking on that point of Order, Sir, I think it is a dangerous thing to admit that even members of the House did not hear what Your Honour said, and then blame a newspaper for not putting it in.

6.35 p.m.

Mr. TUDOR: Mr. Speaker, I rise to second the motion made by the hon. junior member for Christ Church. I want to say at this point that I must commend him for his moderation and restraint, and the general high tone which he has imparted in opening the discussion on this obviously important matter.

I feel, Mr. Speaker, when discussing an issue of this size and importance I should do so without any emotions and indeed without any feeling of securing a victory over my opponents. The facts are that there is a constitutional crisis in this Island; to avoid saying that would be to hide half of the issue. It is also true that this constitutional crisis has arisen because the Hon. Minister of Communications had

been defeated by a vote of this House and therefore had been censured. He has not as yet relinquished his portfolio and has not so far as we see, been asked by the Head of the Administration to do so.

First of all, Mr. Speaker, we have to ascertain what in fact is our Constitution at the moment; not what we would like it to be. We are working a Ministerial System of Government of which very little of the mechanism is set down in our laws; almost all of it is the result of conventions and if I may say, this word means, broadly speaking, a gentleman's agreement. The conventions such as they are, according to the speech of His Excellency the Governor on the inauguration of Ministerial Status, are the same as those which obtain in the United Kingdom. Our task therefore in bringing this matter forward is to get a clear and definite conclusion. Our task is twofold; it is to find out whether the conventions in the United Kingdom do apply here, and secondly, if they do apply, to ascertain whether they have been broken. Do they apply? Well, the answer to that Mr. Speaker, must be "Yes", because His Excellency the Governor has said so; and he has even said that it needed no prompting on his part to get the Hon. Premier and members of the Premier's Party to accept the conventions. "And I should like to say publicly that it took no prompting from me or from London to induce Mr. Adams and the party he represents to accept the need for such rules of obligation, among which I might mention the rules that a Minister must vacate any official post in a trade union or the directorship of a public company." That is what His Excellency said on that occasion.

So, at any rate, it should be clear in the mind of the Officer administering the Government that the conventions have been broken.

Now, Mr. Speaker, you may argue that merely saying that the conventions which apply to England have been broken is not saying which is the one that is broken that applies to our constitution; but the answer to that must surely be, that if it is responsible Government or anything approaching that you are setting up in a British colony, the conventions which we must follow must be precisely those having something to do with Ministerial Government; a convention which lays down that generally speaking the Head of the Administration or the Sovereign must follow the advice of the elected Cabinet, and of course the Premier or Prime Minister. If a convention is that the Sovereign or the Officer administering the Government must not refuse to grant a dissolution of Parliament or Legislature, what Chief Minister or Prime Minister if that is required can prevent it? And while I am on that point, I may say that this convention has grown up in England and in the course of time, it did receive great strength from incidents which took place not in England but in the Commonwealth; and I may further say that this receives more force from the quarrel which took place between the Governor-General of the Dominion of Canada and the late Prime Minister, Mr. McKenzie King. The most important convention of a Ministerial form of Government is that the Ministers individually and collectively hold office or continue to hold office as long as they are enjoying the confidence of the Assembly or of Parliament. That is not a law; it is a convention and it is a convention which by virtue of traditional acceptance, has the force of law. Professor Frederick Ogg, who was Professor of Political Science at Wisconsin had it to say on this particular convention: a minister or candidate might cling to office in supreme indifference to a hostile House of Commons and the courts would take no cognisance of the fact; a custom almost two hundred

years old is behind the principle that Cabinets and individual ministers alike shall remain in power only so long as they enjoy the confidence of the country as manifested through the support of the House of Commons; and no convention of the constitution is more firmly established or cheerfully obeyed.

Hon. Dr. H. G. CUMMINS: I rise on a point of Order, Mr. Speaker. The honourable member is quoting from a book.
6.45 p.m.

Mr. TUDOR: I am not quoting from a book. I have a bit of paper in front of me with something, and if you want it I shall gladly give it up.

Mr. Speaker, I quote the last sentence there with respect to Ministers clinging to office in the historic House of Commons, in order to show that in case our historic House of Assembly breaks conventions, though the courts of law should not of course take cognizance of this, it is a convention clearly established and until now cheerfully obeyed.

What remains therefore to be established is whether this convention comes within the province of the conventions which now need no prompting on the part of the Governor to make the Prime Minister adhere to, or whether this convention has been left out of the body of conventions which ought to guide Ministerial Office and Status in this island. Make no mistake about it, if this matter passes just like this without it being told to this House and the people of this island in clear unequivocal terms what the position is, it will mean that this House will not have any means of disciplining the Ministers. It will mean that any Minister, even the Premier himself, can continue to advocate policies, and even by virtue of having a majority to get them passed, without it ever being possible for us not only to question him, but to raise an issue as to their being wrong and harmful. It means more than that; it means if things remain as they are and we get no clarification, that a Minister can be defeated time after time in this House and we can show displeasure in the work of a Ministry from week to week and no redress can be expected because the convention which we intend to apply does not apply.

I want to pass on from that general principle to its application in this particular instance. In this House we have accommodated ourselves to this Ministerial system of Government; it can be admitted that it is a little more than a year old, and therefore, its very newness makes for indecisions and uncertainty and that lack of smoothness which one naturally associates with older established institutions. All that can be admitted; but if when an opportunity comes or is given for a Legislature to face, and it shirks the facing of the problem, because either it does want to see its privileges extended or maintained or because it feels it might be offending somebody, then that Legislature has let go one of its basic principles.

I will make a commentary as to what prevents this Ministerial system from working properly, and on what has given rise to this constitutional issue. Let me say in passing that this constitutional crisis need not have ever been a crisis if the Minister in accordance with an established convention, had taken stock of his own position. The proper thing for him to have done as soon as he was defeated was to have tendered his resignation, saying that he had been defeated in Committee and that he felt it his duty to submit his resignation to the Chief Minister, who would then decide whether the nature of the defeat was such as to merit his passing it on to the Governor to whom it should be addressed. If the defeat was not a serious one, it would be his duty to say to the offending Minister: "I do not think that this is a

matter on which the House could really call upon you to resign, but in order to test the matter out, I will raise it in the House to ascertain it." That is how the Chief Minister should undertake to guide his Minister; not only must the House receive proper guidance, but the Ministers themselves must have proper guidance as to the conventions under which they are working. What is there to prevent that course of action from taking place? Surely, not because the Premier did not know what he should have done. That has not taken place because over there what obtains is just a system of jobbery, and therefore, each of them, not the Premier, feels that separation from office is not so much a constitutional mishap as an unqualified disaster. It is on record Mr. Speaker, that in 1951 when the British Labour Government was defeated in the General Election and Mr. Churchill returned to power, Mr. Attlee and Mr. Morrison and several persons lost so far as their private fortunes were concerned. When your salary is £5,000, £6,000 or £7,000 a year and then within the course of two or three weeks after a General Election campaign, you find that it is £1,000 a year, of course you will feel the loss. But that sort of consideration does not and should not weigh with representatives of the people who have to carry out the people's business, and who have from time to time to become the Queen's Ministers. That is part of the give and take in politics, and that should not be a consideration which should guide these extremely important issues. That, I suspect is the matter over there; none of them dare to be so rash as to write out his resignation for fear that it will be accepted.

6.55 p.m.

I say that because neither of them knows what secret opinions the Premier may have about them, and what chance he may be looking for to give such secrets to the people.

If that is going to be the trouble, how can you work the Ministerial conventions? As I said before, the proper thing to do whenever a Minister has been censured, even before he does anything else, he should go to his desk or take paper wherever he is and write his resignation to the Head of the Administration and put it in the hands of the Prime Minister. If a Minister does not do that he is tinkering with the very machinery that he is supposed to work.

There is therefore, no question of the merits or demerits of the issue as to whether the Minister should have been censured or not; that cannot be taken into account at all; and indeed, to do so, would be to reflect on a vote of this House; and neither I nor I trust any other hon. member would be so misguided as to do that. A vote of censure was passed on the Minister; the Minister has not resigned. I will tread very carefully now. He has not resigned, and we have not heard that he has been asked or called upon to resign.

This brings us Mr. Speaker, to the second hinge of this problem; the relations between the Head of the State and the Ministers in the working of the Constitutional conventions. A classic case for the dismissal of a Minister by the Sovereign or the Head of the State is of course Lord Palmerston's case in 1851. I am going to state it to the House, not because it does not, speaking generally apply to our own case but because it shows you where the fountain of authority is.

Lord Palmerston was Foreign Minister of the U.K. and he thought it at that time a good thing if relations between Great Britain and France could

become smoother; and everything that he did was to improve Anglo-French relations. Queen Victoria and the Prince Consort on the other hand had not yet swung around to pro-French sentiments. The argument between the Queen and the Foreign Minister developed and went to and fro without any decision one way or another which could affect policy; but Lord Palmerston undertook to give effect to his own point of view by sending a congratulatory telegram to the Emperor Louis Napoleon, congratulating him on having gained power in the recent Coup d'état in France. Thereupon Queen Victoria held the view that the power to dismiss was a part of what you may call the residual prerogative of the Sovereign and she exercised that prerogative.

Well Mr. Speaker, constitutional authorities ever since have been arguing as to whether the Queen was right or wrong to dismiss Lord Palmerston; and others have argued whether it was expedient to do so or not. I may state here in passing, more for the benefit of the Minister of Communications than for the benefit of the discussion, that Lord Palmerston cheerfully accepted his dismissal, and got his tit for tat on the Ministry some three weeks later when he voted against the Government on the Militia Bill. So there is hope even for a dismissed Minister. That vote of Lord Palmerston brought the Government down and threw it out of power. If the present Minister of Communications feels despondent over what may be his future constitutional position let him realise that Lord Palmerston accepted his dismissal cheerfully and a few weeks later became Prime Minister of Great Britain.

Mr. Speaker, constitutional authorities are on both sides of that question; but what they have ever said, or what they have all agreed on, is that the prerogative of the dismissal of a Minister lies with the Sovereign or the Head of the State. It is true that in the development of the British Constitution, the theory and the fact of what is called collective responsibility of the Cabinet has made the use of that part of the Queen's prerogative out of date or sent it into abeyance; but in theory it is still possible for the Queen to dismiss Sir Anthony Eden or Mr. Butler; but the collective responsibility of the Cabinet and the emergence of the Prime Minister, whom you may say has been given a share of the Monarch's power, makes it unnecessary for the Sovereign in these days personally to intervene so as to secure the dismissal of a Minister.

But, Mr. Speaker, in all the British Colonies no one has ever yet suggested that when responsible Self-Government is granted (we are not now speaking about the Dominions) it is granted to a Colony at the precise stage which the U.K. was at the given moment; that is to say, that when you get Ministerial Status in Barbados and you get responsible Government, you are not getting what England has now; you are not getting what England or Australia now have. You are getting in the initial stages something that England had in 1714 and what New Zealand may have had in 1896; that is how it is.

In our case we are given conventions substantially the same as they are in the U.K. in order that responsible Government, as far as the relations between the Ministries and the Assembly are concerned, can work. When, therefore, we were about to be given Ministerial Status and the then acting Governor was asked, I dare say, by the Secretary of State for his views upon it, he reflected on the problem along these principles, and he submitted to the Secretary of State a letter which embodies the

principles upon which in his view Ministerial Status should be erected.

In paragraph 22 of Mr. Turner's letter to Mr. Lyttleton Mr. Turner lays down what he thought to be the best ideas on dismissal and other matters relating to Ministers; he says: "Any Ministers should be liable to be dismissed by the Governor after consultation with the principal Minister."

7.05 p.m.

Now, Mr. Speaker, if it is held, as I think is the case, that only a Chief Minister or the Principal Minister can dismiss a Minister, then the whole question must turn on whether "after consultation with the Principal Minister" is the same as "with the permission of the Principal Minister." In other words, is it going to be contended that to say that a Minister should be liable to be dismissed by the Governor after consultation with the Premier is the same as saying that the Governor must sack with the permission of the Chief Minister? If that is going to be contended, we will have to re-open the whole thing on our Ministerial system and ask for a directive from London on it; as a matter of fact, if it is contended that it is the Chief Minister who must dismiss, or the Governor cannot dismiss a Minister without the permission of the Chief Minister, I would say, Mr. Speaker, that you would have to do away with conventions and let us get it down in black and white what precisely is the authority of Governors in this matter. We will have to get on paper, proper constitutional instruments on which nobody could disagree. Therefore, Mr. Speaker, the only problem which can actually be grave enough to create a doubt would be whether the Governor does have the authority to dismiss. It is not expressly stated that he does not have that authority; and I may say in passing that Mr. Oliver Lyttleton replied to the present Head of the Administration who had by that time arrived in the island, in the following way: "I note what you say in paragraph 22 and I endorse it," or words to that effect. That is the challenge which I throw out to the Hon. Premier on this issue.

Sir, if one of the proposals as laid down by Mr. Turner is that a Minister is liable to be dismissed by the Governor and the Hon. Premier is going to say that the Governor does not have that authority, the Premier has kept that all to himself and he must have been the only person who has read it like that. On such an important constitutional matter as that, it should be his duty to acquaint his colleagues to the effect, because I am sure that we all are in no doubt that a Minister can be dismissed by the Governor. As a matter of fact, even the Chief Minister can be dismissed by the Governor. It is true to say that the matter must be weighty and it should only be done for grave reasons. If the Chief can be dismissed, well then it follows quite reasonably that the other Ministers can be dismissed. Of course, the proper working of a constitution and dealing with responsible government would require that the Governors do not interfere, especially when it comes to a Ministerial system of government, that is to say, normally speaking, it should not be within the province of the Governor to say to the Chief Minister: "I do not like so and so; I think you better get rid of him." There is something just of interest here. I happen to know, Mr. Speaker, that the last Head of the Administration we had here who is now Governor of British Guiana had suggested to the Hon. Premier not to take back the Hon. Minister of Communications on the Executive in view of the fact, not that he had been found guilty of a loss at an enquiry, but owing to the fact that his name had been mentioned in public and as a result it would not be in the best public interest to take him back

on the Executive. As can be seen, the Hon. Premier did not take that view; and therefore, he did not agree with Sir Alfred Savage. It only shows that the Head of the Administration can and does intervene in matters of this nature to warn, perhaps, and to encourage a possible course of action. I cannot agree, Mr. Speaker, that that right has been taken away from the Governor. If that right had been taken away from the Governor, I think the constitutional instruments would have been issued to that effect, and I also think it would be said so expressly from London. First of all, there is a lot more than dismissing a Minister. When a ministerial system of government reaches its full fruition and reaches a stage where the Governor cannot dismiss a Minister, it has also reached a stage where officials cannot sit on the Executive Council or Executive Committee. That is not the case with us; on the Executive Committee, we have the Chief Secretary and the Attorney General and we have others too. It therefore means that we only have some form of self government; we have not fully got self government; therefore, it would be illogical to believe that any Government which has as the formation of its Executive Committee a system where you, so to speak, still have to get the hands of Whitehall in the midst of your discussion, where you still have the Chief Secretary and the Attorney General exercising their control, can you ask us to believe that the Governor has relinquished the right to dismiss a Minister? When he relinquishes his right to dismiss a Minister, he also relinquishes his right to appoint a Crown Law Officer to sit on the Executive Council; but so long as there is any semblance of a Crown Law Officer in a position on the Executive Council, there is the power of dismissing a Minister remaining with the Governor. That is how I see it and it will take quite a lot for the Hon. Premier to tell me otherwise.

I want to make it perfectly clear that there may be good reasons for the retention of the Minister in his office, but there are no constitutional reasons; there may be reasons of politics; it may not well be if he goes; the Hon. Premier will not know as to whether my friend, the hon. member for St. John, or whoever else he may prefer, should be awarded the plum, and therefore rather than have a battle royal ensuing for what may well be a spoil it may be better to retain the Hon. Minister in office.

Mr. ALLDER: Mr. Speaker, the hon. member made a wide statement when he said that the hon. member for St. John may well be awarded the plum of that office. I would like him to say which member for St. John.

Mr. VAUGHAN: On a point of Order, Mr. Speaker, I would also like the hon. junior member for St. Lucy to discriminate.

Mr. TUDOR: Perhaps that is what the Hon. Premier may not want to do; however, I meant the hon. junior member for St. John. There might be reasons, but they would be political reasons or personal reasons. There may be very good reasons, but they are not constitutional reasons. That is what I want to establish.

While we are on this point of the fallibility of the Governor, I am amazed at the turn this battle has taken in what I would call an ill-advised action on the part of the Head of the Administration in refusing to see the Hon. Leader of the Opposition. Why I say, Mr. Speaker, ill-advised, is for the reason that at the beginning of this Session, when you and the rest of those hon. members who were here were summoned to the Other Place, you asked His Excellency the Governor for the continuance of the undoubted rights and privileges of this House. One of

such rights and privileges is that members of this House or you on their behalf, should have free and unlimited access to the Head of the Administration. 7.15 p.m.

That is the privilege which is important; and which is always granted. Are we now being told for the first time that that privilege of access to the Head of the Administration is being denied individual members? If that is what we are being told, you have to rewrite your privileges; you will have to ask for fewer privileges. You will find that the Head of the Administration will always be waiting for something to turn down, either we have access to the Governor or we have not. If we have, then clearly His Excellency's refusal to see the Leader of the Opposition is ill-advised. If we have not the right of access to the Governor and if there is a new convention which he is so vigorously applying then let us observe both conventions. You cannot observe one convention and weaken the force of another; if you are working conventions they must have equal application. But there is an aspect of this matter with which I am not so pleased; it is something which makes me find another reason for saying that the Governor's action was ill-advised. It was pointed out to the Chief Secretary that his Excellency had in fact received two delegations since Ministerial Status, (one with the hon. senior member for St. Philip, the hon. senior member for St. John, myself and a gentleman who is not a member of this House) one in connection with the question of emigration, and on another occasion, when my colleague and I went to see His Excellency the Governor on a matter connected with the Royal visit. There are two facts about this matter which ought to be brought to the attention of this House: it is a fact that the delegation when it went to Government House met there in addition to His Excellency the Governor, the Minister of Trade, Industry and Labour, and it is a fact that His Excellency said that under Ministerial system a matter such as that should be discussed particularly with the Minister concerned, and he asked the Minister to be there on that account. When we dealt with Princess Margaret's tour through St. Lucy there was no Minister there, presumably because it was a matter of etiquette, and therefore His Excellency did not think it proper to ask a Minister to discuss a question of ceremony. Suppose we look at the matter in this way: this is a constitutional matter and we wish to see His Excellency on it; he has no right to refuse us the privilege of seeing him. Why did he not adopt the attitude which he adopted on the occasion when we went to see him, and have his advisers with him to deal with constitutional matters. It would not have done any harm for the Chief Justice and the Attorney General to be there on that occasion. If we had satisfied the conventions, we would not have had this disquieting news that we no longer have any access to the Governor. I am not happy about that aspect of the matter at all; I am more unhappy about that than I am about any other matter. While of course I would not see this House become inflamed or in any way further angered at the attitude taken by the Head of the Administration, I think it ought to be understood by this gentleman that we provide his salary and therefore "he who gives can withhold." His Excellency the Governor and the Chief Secretary have both shown me their friendship, but God forbid that I should be one of those legislators who would enjoy friendship at the expense of upholding wrong doing. I cannot do that; I take it very seriously; the Head of the Administration should intervene in this matter in such a manner as to discover for the first time, if we no longer have access to him; and I think it

ought to be perfectly clear to him that we think he is wrong in withholding the privilege of seeing him, and he has treated a member of this House with great discourtesy and we hope that such an occurrence will not take place again. I personally will draw it to the attention of the Under Secretary of State for the Colonies if and when I meet him next week.

Mr. Speaker, I have stated my case; good constitutional reasons exist as to why the Minister's resignation should have taken place. No Ministerial system can work properly unless all the conventions are being applied and applied vigorously, no matter what personal fortunes or misfortunes are at stake; and therefore the Minister of Communications must resign.

At this stage Mr. Speaker left the Chair and the Deputy Speaker took the Chair.
7.25 p.m.

Mr. VAUGHAN: Mr. Deputy Speaker, I must first congratulate the hon. member who has just sat down on his usual calmness in delivering a speech and his evident thoughtfulness of the substance with which he was dealing; and indeed I want to say it is my opinion that he has delivered in his latest speech so far, the most important statement since he has been a member of this House; and he has delivered it with commendable eloquence.

In his concluding remarks he said that he has stated his case; I have no case to state; but I certainly am submitting my personal interpretation, and it can only be that, because I am not a constitutional authority. There was only one flaw in his speech; he has unfortunately chosen to mention me as a possible successor to what I am convinced will never happen. I will state my views as to why I feel that.

When, Mr. Deputy Speaker, at times I speak with what may be interpreted as emotional emphasis, that is somehow a normal habit of speech to which I find myself accustomed, after being in public life for sometime. Now, let us view this whole matter calmly; the honourable member has mentioned something about the dissatisfaction of the public. As far as I have heard, no section of the public was dissatisfied with the refusal of the Minister in question to resign until the appearance on Sunday before last, of a very strongly worded and strongly misleading article in the *Advocate* newspaper; it was strongly misleading in my opinion.

The average member of the public, quite unfairly to the Minister, believes that some grave breach of Ministerial duty has actually been committed by the Minister in question; the public believes, as far as I have heard, that the Minister has been guilty of some dishonest stunt. I had to correct many of those people who spoke to me about it; and as soon as the correction was made, they said they did not see what all the fuss was about.

How did the censure, if censure it was, arise? The occasion was when the Minister brought in a Resolution for money to repair a road roller; I think that was the occasion, and if I am wrong Your Honour will correct me. On that occasion dissatisfaction was expressed that the Minister was repairing a private road which was of no use to anyone but the owner to convey canes from his lands. The honourable senior member for St. John gave the impression that it was a personal discrimination on the part of the Minister by doing this particular Spa Road.

Mr. GODDARD: At this stage I must draw Your Honour's attention to the Rules. The honourable member is reflecting on a vote of this House. In my speech I said I hoped it would be kept on the

level of a constitutional matter; the degree of censure is not before the House and I will ask Your Honour to make a ruling on it.

Mr. VAUGHAN: Mr. Deputy Speaker, I think it imperative to state that I am not reflecting on a vote of the House. It is necessary for me to refer to the circumstances as to how the censure arose.

Mr. DEPUTY SPEAKER: The honourable member is, I take it, giving his impression of what took place, and not saying whether the censure should be given one degree of importance or another.

Mr. VAUGHAN: Yes, Mr. Deputy Speaker. I cannot develop my argument without mentioning that.

Mr. DEPUTY SPEAKER: I will not give any ruling to help the honourable member develop his argument; that is his own business. I must say that from how I assess the matter, I think it would be in order for him to state the circumstances. I would however ask the honourable member not to go all over them again.
7.35 p.m.

Mr. VAUGHAN: I will not do that. In the following week the Minister came in and made a statement refuting the allegation that he was doing a private road; I am finished with that part of it. On the occasion of that discussion, there was a successful motion to reduce the vote by one dollar and that I understand, constituted the censure; in my view that is the manner in which the censure arose. The public, I suppose, will be surprised when they discover that that is how the censure arose.

When Ministerial Government was introduced in this House, I was the only member who (to use an English word, a small English word which some people feel it is not proper to use, but it is expressive of what I mean) had the "guts" to speak against its introduction.

My view as I said then, was that I heard that we were not politically capable at this stage of our development to make a Ministerial system of Government a success. It might have been entirely my view at that time, but it was my statement at that time; I am not agreeing with it now. On the other hand when it was implemented as distinct from being introduced, in my speech on the opening day on which it was implemented, I complimented the Hon. Premier for having achieved the ambition which I knew was the summit of his political convictions. I also stated that since Ministerial status was now a reality, I would do all in my power by constructive criticism, to see that it was a success. Mr. Deputy Speaker, I have tried to live up to that. Allow me to point out that I made two different speeches; one, disagreeing with its being implemented owing to political incapability, and the other to say that since it was reality I would do all to make it a success. Whatever may be the conventions nobody spoke on them, nor was anything mentioned specifically on the Governor's power. I do not see how it becomes the power of the Head of the Administration to dismiss a Minister without the recommendation of the Hon. Premier; I interpret "after consultation with the Premier" to mean after the Premier's recommendation. The honourable member who has just sat said it could be interpreted like that.

Mr. TUDOR: Mr. Deputy Speaker, I never said so. I said that some people may say that it might mean that; but I never said I interpreted it that way.

Mr. VAUGHAN: Well, I thought so. The Hon. Premier has to appoint Ministers, therefore he has the power to dismiss Ministers; he has to submit the recommendation to His Excellency the

Governor which His Excellency must accept. I would not accept the idea that His Excellency the Governor can dismiss a Minister without consultation with the Hon. Premier. I may be entirely wrong when I say that with the present constitutional status, the Head of the Administration regardless as to who he might be, can take unto himself with the advice of the Premier the power to dismiss any individual Minister. That is my personal interpretation.

Mr. DEPUTY SPEAKER: Why don't you insist and give your interpretation of whatever it is?

Mr. VAUGHAN: My interpretation of the failure of this resignation to come about? Let me say this: a Minister enjoys greater status than ordinary Civil Servants, and if he did not, I would be sorry for the constitution which we have. A Governor cannot dismiss a Civil Servant without consent from the Secretary of State for the Colonies, if such Civil Servant is a Head of a Department. How can he be given the power then to dismiss a political Head of a Department? And a Minister is a political Head of several Departments.

Mr. Deputy Speaker, it might strike others besides myself in this Chamber that on this particular issue, arising in the way it has, that as I have mentioned, I cannot certainly accept the idea that it is the Governor's prerogative without the recommendation of the Hon. Premier to dismiss a Minister.

Normally I would expect that the Hon. Premier (except for any gross breach of discipline by a Minister) would not need any pressure from anybody to discipline that Minister because it would be for his own political security to dismiss all or any one of his Ministers; but the case before us is not one of that sort. If a Minister in this colony does not enjoy a greater status than Civil Servants, then the Ministerial setup is not worth the paper it is printed on.

When we talk about reference to the Secretary of State for the Colonies, we must bear in mind that whenever the Secretary of State for the Colonies sends down to any particular colony any document, any recommendation in that document is the recommendation which has resulted from the Governor of the Colony. The Secretary of State for the Colonies is not here; therefore, he must give his decisions according to the recommendations of his pro-Consul in the colony.

Mr. DEPUTY SPEAKER: According to my interpretation, that is not the reason for this debate. The question is not whether anything can originate with the Head of the Administration relative to the dismissal of a Minister; what I have heard so far, is whether he can take it upon himself to dismiss that officer, or he must do so after consultation with somebody else. In short what course should he take normally.

Mr. VAUGHAN: I am giving my views on what course normally he can take. I do not think Sir Alfred Savage wanted to dismiss all of the members of the late Government of British Guiana; but in order to get rid of a few whom he did not appreciate, he had to recommend the revocation of the constitution of that colony to the Secretary of State for the Colonies.

Mr. DEPUTY SPEAKER: Does the honourable member feel that that has any bearing on the question?

7.45 p.m.

Mr. VAUGHAN: Let me emphasise again before I argue the point, that that is my interpretation of this matter with which we are dealing.

If the present Head of the Administration feels that he should be dismissing a Minister he would

have to take the same road to do it as Sir Alfred Savage took! (*Laughter*).

Mr. F. L. WALCOTT: I believe I had something to do with what we are now discussing. I do not agree with the motion or with this idea, for different reasons from those of the hon. member who has just sat down. In a short life time when you can find people in politics making these metamorphoses as fast as meteorological surveyors can determine the wind velocity, it becomes difficult to understand these hypocritical speeches which are emitted. (*Laughter*).

Mr. VAUGHAN: On a point of Order. I am asking the hon. member if the word "hypocritical" applies to the last member who has just sat down.

Mr. F. L. WALCOTT: He whom the cap fits must draw the string! The hon. member is the best person to know that. (*Laughter*).

Mr. VAUGHAN: I am not hypocritical therefore he does not mean me.

Mr. DEPUTY SPEAKER: I am asking the hon. member to proceed.

Mr. F. L. WALCOTT: So far as the interpretation of what we have to deal with is concerned, it would be necessary for us to be reminded of how these instruments were given to us in this Assembly. I would say this: I do not support the idea of the Leader of the Opposition;—I do not believe that the Leader of the Opposition has read these Constitutional Documents.

Mr. GODDARD: I have read them.

Mr. F. L. WALCOTT: Well, he has not read them carefully. The last speaker did not give to the House what he has interpreted. In this Document which is Message No. 25/53 from His Excellency the Governor this is what is said:—

"Subject to the approval of the Legislature, it is proposed to put into effect a Ministerial system on the lines set out in these despatches and to operate the system in accordance with the conventions stated therein."

And it goes on in the following paragraph:—

"In doing so I consider it would be incumbent upon me, as, indeed, it would be incumbent upon the Ministers, to follow the constitutional conventions observed in the United Kingdom, so far as there were applicable to local circumstances and to the constitutional position in Barbados as it would be under the new system."

That is the relevant portion of the Message. What I want to point out to the Hon. Leader of the Opposition is this: I quite agree with the hon. junior member for St. John to the extent that the Premier did not agree with me, otherwise we would not have had this difficulty. In a private letter which I wrote, I said that I entirely disagreed with the idea that a Governor could dismiss a Minister only after consultation with the Premier; I was told that under a Colonial set-up you could not have it otherwise. I am layman, but it did appear to me that you are likely any morning when the Governor does not feel like meeting somebody that he might say that this particular person must go. So far as this vote of censure is concerned, it is not a matter for the Minister under our set-up; the Ministers under our Constitution really and truly cannot do anything by themselves. That was a decision of the Executive Committee and therefore you could not come now and ask me under this Constitution to do anything, because this is what is stated in His Excellency's Message:—

"The Ministers who would operate under party conventions would become responsible for the for-

mulation of government policy, for propounding it in Executive Committee and in the House of Assembly, and for seeing that it was carried out by the administration. Executive Committee would continue to be the policy-making body of government." I have given some thought to this matter so that the hon. member would be aware of these things not on the flimsy basis that the Governor cannot dismiss anybody; because the Governor appointed the Premier under these conventions, not the House of Assembly; the Premier recommended names for approval. The position is just as it is in England and it is known historically that at one time, (I think it was in the Baldwin Government) that he did not want certain people to be Ministers, but he realised that it was difficult not to have them; and the King made it difficult to accede to his request if certain people were left out of the Cabinet; but an arrangement was made and the people whom it was proposed to leave out were included. At one time it was said that certain people should not have been recommended to a Governor for appointment as Ministers owing to their past conduct as former members of the Executive Committee; that was stated and some of us in the Party know it; but that does not prevent the Premier from submitting any names as Ministers to the Governor for approval. Where you have serious breaches where the Government made an apology, and where they had no authority in the Six Roads affair where the land was exchanged without the approval of the Legislature, there could be no possible excuse; the Government had no authority to do that. However nothing was pressed. I believe that it is more or less the question of the Ministers' manner more so than the issue in itself. That is where the Minister of Agriculture and I do not believe in that sort of affability.

Mr. DEPUTY SPEAKER: I am sorry to interrupt the hon. member; but is he giving some reason why something was done rather than the effect of what was done?

7.55 p.m.

Mr. F. L. WALCOTT: What I am saying is that the reduction of the vote by a dollar which is the substance of the censure, cannot be regarded in this context as a censure on the Minister who introduced the Resolution into the House. It is just like in the Budget; if you vote the reduction of some sum in the Budget, it does not necessarily follow that a specific Minister is censured. A vote of censure like that should be a vote of censure on the whole government rather than on the Minister.

Mr. DEPUTY SPEAKER: Is the hon. member saying that in our Constitution no such vote can be made against an individual Minister?

Mr. F. L. WALCOTT: No sir; I am saying that this particular vote should not be regarded as a vote of censure against the Minister. There may be an occasion where a Minister does something in such a manner that his conduct comes before the House or the general public; but in this case it was not a particular Minister's conduct which was before the Legislature; what was before us was that a vote was reduced as a protest, not against the policy of the Minister, but against the policy of the Executive as a whole; therefore the reduction was not a reduction which censured the particular Minister's policy, but it was a reduction of a Head which the Government wanted passed.

We have a peculiar system. All the Ministers are not members of the Executive Committee; we have a system whereby people who are not elected are members of the Executive. What I want to make

clear is this: there is no desire, there should be no desire on the part of any member of this Parliament, to have such an issue considered in an incorrect manner.

You cannot work under the British Constitution on the basis of wanting to retain a friend in position. There is the case of Mr. Hugh Dalton; in my opinion I never thought that he should have been called upon to resign from the Government, because what had taken place was not his fault. He was called upon to resign. I do feel that in this present case it is not a matter of how you feel about a person. No Minister or member of Parliament should be afraid, if the occasion comes that a Minister's conduct is such that he should be relieved of his post to say so.

I cannot agree with the analogy made by the hon. junior member for St. John, because there is no comparison between a Minister and a Civil Servant. One is a vocation; a Civil Servant has a job, but you cannot say that a Minister has a job. You may as well say that because a Civil Servant has security of tenure a Minister should have the same, and that the Governor cannot dismiss the Minister. I think that if the hon. member has any hopes of one day sitting in a Ministerial chair he should get it clear in his mind that Parliament will not secure him in that position; and for that reason I say that Ministers should be paid and paid well for what they have to do. When a person becomes a Minister the time that they will occupy that position may or may not be long.

I feel, Mr. Deputy Speaker, that it would be wrong if this House voted to ask the Governor to call upon a single Minister to resign in these circumstances. As I have said no one should be afraid of doing anything in a proper manner under the British constitution. If I had to do anything like that I would do it without compunction. I would bring any such case to the notice of the administration, and I would raise it in the whole House; but I feel that on this occasion where the vote was taken, the House should not regard that vote of censure as directed against a particular Minister. If that was intended, it should have been made plain so as to let it be known that you intended to make a vote of no confidence.

In these issues you cannot be afraid of whether a vote is against you or not; if you are satisfied that something has gone wrong, it is your duty to make that clear and bring it to the notice of the proper persons.

(Mr. Deputy Speaker leaves the Chair, and Mr. Speaker resumes the Chair).

Mr. Speaker, I said that I do not subscribe to the view that any Governor should have it at his whim and fancy to remove a Minister. Moreover, unless there is a formal vote of no confidence where you are going to discuss it like under the British system, the issue should not be done. That is why I am glad that our constitution is one under which the House does not appoint Ministers; because the day that someone can troop up twelve people to come and vote against a Minister, the Minister will be out. If you have a convention under the party system on the other hand, and the leader of the party is the person responsible for selecting the Ministers and to some extent responsible for their dismissal, it is better.

Why the Governor has a certain amount of authority here is this: it is known that if you did not have certain powers still residing in the Governor, the Chief Minister or the Premier would be able to go and bring in some notorious character and ask the Governor to have him as Minister. You must have

a check somewhere; it is for that reason that you have that check so as to avoid any semblance of corruption.

I feel, Mr. Speaker, that the points which have been raised — [A VOICE: Show us your authority.] Some member is asking about authority; how can you have an authority for something which has never happened before? This is purely a matter of opinion; I am like the hon. senior member for the City. With all due respect to the lawyers, if lawyers were the only persons who had sense, God help the world! In a matter like this you must be willing to express your views. When Ministerial Status was to be introduced there were certain things that I pointed out to the Premier. One of the same things that I pointed is this same issue; I said that authority should reside in him or the Governor.

You must express your opinions. I do not express mine with any sentiment. As far as the Minister of Communications and Works is concerned, I do not know that there is any love lost between the two of us; it is not a matter of personal feeling or sentiment one way or the other.

8.05 p.m.

I would not be the one in this Chamber who would go and do something against a Minister, or something out of spite, to show that I wanted to get him out of Office. Of course I know some of the Ministers would like to get me out of the House; they feel I did things to that effect; but "sufficient unto the evil day thereof." The Premier is smiling at what I said, but it is a fact that some people think that they can annihilate you when your views do not coincide with theirs.

I am appealing to the hon. junior member for St. James to give his legal knowledge on this vote for the dollar reduction, and tell this House whether it was something which was taken against the vote which the Government sent down or against the Hon. Minister. According to my view, there is no point of dismissing a Minister when you know that there is collective responsibility. My view about the whole matter is, that the Hon. Minister of Communications is not a favourite among members in this House; he is a man much like myself; he is a fairly blunt man. From the expressions of opinion on the particular item of that Resolution, I feel that the dollar reduction vote was taken against no Minister. If it were under the portfolio of any other Minister, say, the Hon. Minister of Social Services who has a very affable manner, you would not have heard this talk even although the vote was reduced; but the Minister of Communications appears to some hon. members as if he is on the wrong side. I would not associate myself with any removal of any Minister on these grounds; I feel if any vote of censure had to be taken such as a reduction of a dollar on that Resolution it should be effective against the Government as a whole. That is my interpretation of the instrument which we have before us.

ADJOURNMENT

Mr. Speaker, I think at this stage we should have a short adjournment, I therefore beg to move that this House do now adjourn for three-quarters of an hour.

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

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

8.10 p.m.

PRIVILEGE DEBATE CONTINUED

On re-assembling:

Mr. SPEAKER: On the adjournment, the hon. junior member for St. Peter was addressing the House.

Mr. F. L. WALCOTT: Mr. Speaker, I did not intend to go on with this matter, however some hon. members are worried as to under what circumstances, I think a Minister would be liable for dismissal. It is always difficult to cite any particular case, but what I was at pains to point out was that even under this present constitution, you do not have in Barbados what will be regarded in the United Kingdom as a responsible Ministerial system where a Minister will make a decision without reference to the Cabinet. Every measure moved here is a decision by the Executive Committee, and it may be at some future date that I will show some of the anomalies in the present Executive Committee as it now works, in that some people are free and others are not; but if we had a responsible system where a Minister could act without reference to the Cabinet, then it would be easy to dismiss a Minister for any action coming under his portfolio. At the same time if the Minister's conduct (private or otherwise) should be such as would bring him into public ridicule, I cannot see the Prime Minister allowing him to remain in the Cabinet. This House of Assembly as it is now constituted can in any public matter if they feel that a Minister's conduct is such that it merits a vote of no confidence, can move such a motion. I feel that at any time that a vote of "no confidence" is issued, it should be issued in the normal way; that is to say, let the Government be prepared for it, so that they will know that if they lose on this decision they will fall; and not on a matter of a snap decision. I do not think you could do that without your having given notice of it; I do not feel that this dollar vote which was taken can be taken as against the Minister of Communications; and my view in this matter would be one for thought and reservation, or if that vote which was taken against the Government could be regarded as a vote of "no confidence" they should be called upon to resign.

The Government could come here and ask that this matter be voted on so that when the issue comes back again, we do not have to debate the principle. I was not present when this vote was taken; and despite what was written in the Press, when the Opposition wanted to make a vote of "no confidence" I understand that the Minister of Social Services had given some assurance about a departmental investigation. It is not for me to say how the Hon. Leader of the House would conduct his business if the vote went against the Minister or the Government. Under the Constitution which we have I do not feel that you could ask a Minister to resign on this one dollar vote. I have given some study to the convention, and I hope that this will give the Hon. Premier some food for thought: no matter who is the Minister, you cannot have any system of constitutional development and use a snap decision in any departmental vote as a means of getting rid of a Minister. Arrogance is a bad thing and the manner in which some of the Ministers treat the House of Assembly is one of the difficulties which is responsible for this matter that we are pursuing. There are points on which I would raise a vote of "no confidence" such as in connection with the Government not having any business in exchanging this land in St. Philip. That was a matter of an admission; they had no right to exchange this land unless Parliament had approved of it.

I would say that what even appeared in the newspaper had no particular reference to the Minister of

Communications; however, later I will draw the attention of the House as to how through arrogance you get things done. I do not subscribe to the view that the Minister of Communications should be called upon to resign because this vote was taken. It was difficult to say whether the Head of the Administration should have admitted that audience; what I would say in a matter of this sort is that it is a matter of bad grace or conduct; but it does seem strange to me that the Head of the Administration did not receive the Hon. Leader of the Opposition. He should have let the Leader of the Opposition know that the matter was a matter for the Premier; but I do not consider that the Hon. Leader of the Opposition should be given a telephone message in this matter; I feel that that audience should have been granted. If we are going to preserve the rights of Parliament, we should not be treated in any off-hand manner like that. We are working under a new system and I consider it would be an affront to the normal courtesies which are granted to people in the Opposition and for the Hon. Leader of the Opposition, not to have been granted that access to the Governor. He should have ready audience with the Premier and the Head of the Administration.

I hope that as we go on we will drop a little of this clutching to the colonial system and the colonial methods, and realise that we are evolving a West Indian nationhood in order to become more vigorous in running things in a way which we feel is in the best interest of this colony.

What I have said I have said from my interpretation of the constitution as it stands. I hope that we can reach an end of this matter without the recourse to any acrimonious debate. I would like to get down to the debate on the Budget because there are many important things in the Budget which I would like to deal with.

9.10 p.m.

Mr. E. D. MOTTLEY: Mr. Speaker, this is really one of the debates which should not generate any heat, because it is going to resolve itself into a matter of opinion by the Governor and his legal advisers. Nevertheless, when Ministerial Status became a reality in Barbados, one of the first things the Premier did was to level an insult at the Opposition by allowing them to know that there was no Opposition; and that they did not know what they were doing. Maybe he still feels so; and it is our duty to show him that there is an Opposition; and that the further he goes with his Ministerial system, the more he will feel that there is an Opposition although it may not be one to suit him. Naturally you can have a sort of puppet Opposition that will play stooge to the Premier and might therefore be well praised to the Colonial Office and other places.

Now what are the real facts of this case? As the Leader of the Opposition has already pointed out, there is nothing personal in this case. When the hon. junior member for St. John attempted to put the facts, I was very glad to see that Mr. Deputy Speaker stopped him quickly.

Mr. VAUGHAN: On a point of Order Mr. Speaker. I was not aware that the Deputy Speaker stopped me at any time.

Mr. E. D. MOTTLEY: After listening to the hon. member, one would hardly be aware of anything. What are really the facts? It is the opinion of the Opposition that as a result of a reduction by a dollar of a Resolution which fell within the portfolio of the Minister of Communications, there was constituted a vote of censure under the conventions which His Excellency had said should apply as far as practicable as they apply in England. Members of the Opposition feel that a breach has been committed.

Now what is the next position? As the Leader of the Opposition has said, sometime was delayed because arising out of that debate, it became necessary for your Honour to give a ruling on a particular matter; therefore the Opposition could not act. There have been various opinions expressed as to how these conventions should apply in Barbados. Naturally on this side of the Table, there are those of us who hold our opinion backed up, of course, by the opinions of some of the constitutional legal luminaries. On the opposite side of the Table the opposite opinions are being held, and we hope that the Law Officers will be impartial because we do hope that the action of the Governor will be that of an impartial Head of an Administration.

I say that we should not generate any heat. I was glad that the hon. junior member for St. Lucy, learned as he is in ancient Constitutional Procedure, was able to keep the debate after the Leader of the Opposition on such a high plane. I hope that it will continue on that plane.

Now we have every reason to interpret certain sections of the despatches and the conventions to mean that the Minister of Communications, since a vote for which he was responsible was reduced, that under those circumstances it would be necessary for him as an individual Minister to resign, and not for the Government to resign. In view of the opening remarks of His Excellency when he said that as far as practicable we should follow in these conventions, the usage and customs of England, there is no argument to say that in similar circumstances a Minister in England would not resign.

There seems to be no doubt that what is written here by the Governor is what he means. I was amazed as I listened to the hon. junior member for St. John, how could he otherwise interpret paragraph 22 than that the Governor has the right to dismiss the Minister? Paragraph 22 distinctly says: "Again proceeding along the lines of development from which the present system in the U.K. has been evolved, I consider that the appointment of the principal Minister should be made by the Governor who should appoint the person who appears to him to be best able to command a majority in the House of Assembly. The other Ministers should be appointed by the Governor on the recommendation of the principal Minister. Any Minister should be liable to be dismissed by the Governor after consultation with the principal Minister."

Had it not been so, it would obviously mean that a Minister who was in the good favour of the Premier could do as he liked despite any censure of the House, and could never be removed if the interpretation of the hon. member for St. John is correct. But I do not think that any one in this House would take him seriously even on his interpretation of that section. I think it is crystal clear that the Governor has the power to remove a Minister.

We happen to be in the Opposition. In Barbados we really have a hybrid system of Ministerial Government; we are actually trying it out so to speak. I have always said on the floor of this House that what goes up must come down.

9.20 p.m.

The reason why we raised this matter in the House today is because if this system is to be adhered to, we must start right now; if it is to be observed along the custom of Ministerial Government in the United Kingdom, it must start now. If we allow this opportunity to pass by without saying anything, we will not know to what it will lead. When a Minister, regardless of who he is, gets a reduction of a vote on something which deals with his portfolio and where grave dissatisfaction

had been expressed on the Item which caused the debate (as what took place in this House for several hours actually running on from one session to another) what would be the position of the Opposition if we had sat quietly and did not draw it to the attention of the Head of the Administration. Of course, if we had done that, we would be the type of Opposition to which the Hon. Premier refers. It is my considered opinion that it was really the duty of the Head of the Administration, and still is his duty, to call on this Minister to resign; and there is no necessity for me to go into the Executive Committee Act and to read all the despatches that went on in this matter. I think every honourable member knows all about that.

What are the facts that brought about a reduction in the vote which caused this result of the matter? On the occasion of the 18th January last when the matter was discussed, the Hon. Leader of the House who is the Minister of Social Services, said that sufficient had been said on the matter to cause Government to have an investigation; that is an admission in itself by a member of the Government that paragraph 22 means that a Government must be responsible collectively and individually. The Hon. Minister of Social Services said that they had heard sufficient to cause them concern, and he went so far as to promise to have an investigation. The honourable senior member for St. Philip on that occasion in moving the motion for the reduction by one dollar said that it could not interfere with the purchasing of the supplies, but would indicate the resentment and the dissatisfaction which this House feels on the matter. In reply to the honourable junior member for St. Peter who said something to the effect that the reduction was taken on the vote, that shows his view was absolutely incorrect; it was a debate in the House that was drawn out for a length of time, and it gave opportunity to the Government to summon every member of its party to the House. By what imagination can members of the Government call that a snap vote? How can anybody attempt to call that a snap vote? If some honourable member feels it is a snap vote, God help us, if we have to live in a country where a Premier can only remove a Minister in his own rights. Don't fool yourself, tomorrow anybody else might be Premier. You do not change conventions to suit individuals; at present there are a lot of young graduates who expect to be swept into this Chamber and to assume control of Barbados within the next few years. Do not fool yourself nor the people in this country that you will always be in power; do not have conventions or laws to suit individuals. Therefore we say now, let us know where we are with respect to this matter. Is it not in order to say that in keeping with the conventions and customs obtained in the United Kingdom, if a similar circumstance had occurred there as what occurred here on 18th January last, that the Minister in charge of that department would have to resign; and I do know he would not allow any motion like this to be made; he would automatically resign.

I feel the views expressed by the Hon. Leader of the Opposition must have caused a tremendous lot of stir to thinking persons of this community. Let me say again, it is nothing personal with the Hon. Minister of Communications; however, genial he may be, it would be our solemn duty to the country to call on him to resign. If it were another party in power and the Hon. Premier were the Leader of the Opposition, he would be bound to interpret this convention as we are interpreting it,

and he would be bound to call on the Head of the Administration to carry out his duty.

We have found ourselves in the position of having the Governor refusing to see members of this Chamber collectively or individually on this matter; I want to say this with the greatest respect: I consider the Governor is rather discourteous in the matter. I have in my possession a letter from Lord Lloyd. We of the Opposition have made our position clear; His Excellency the Governor should have never attempted to let it appear as if he is leaning on one side; and that is the impression which has gone around.

9.30 p.m.

It will be the duty of the Hon. Premier to defend the Governor, but as Head of the Administration the Governor should be courteous. He could have received any member of this House and not express a view in one way or the other; I say that he should be placed among those Governors who have been made to pack up and leave this colony. Since when a Governor is to tell you that you must deal first with his Chief Secretary? You have either to be a man or a mouse; and you can tell which he is. It is the Governor's duty to receive honourable members of this Chamber. What about conventions? You cannot overnight just say that the custom which has been observed for many years must now be broken; what a shock it was to members of the Opposition to find that it took a whole day to get the Governor to make a decision and then you are told that you should see the Chief Secretary. I know that Your Honour is going to suggest that I am sailing near the wind, but this is one of those things in respect of which you must sail in the wind. We were somewhat shocked and hurt to think that we were treated in this manner; apparently some conventions are kept. As the junior member for St. Lucy has said less than an hour ago, honourable members of this Chamber were received at Government House by the Governor; early last year since Ministerial Status was in operation honourable members were received by the Governor. As a mark of our disapproval, we shall move a reduction of the vote which he has for entertainment. We have always shown, Ministerial Status or no Ministerial Status, a high sense of co-operation with the Head of the Administration; we have always tried our best to keep the Governor on a plane above Party Politics; but I am afraid, sir, that this gentleman seems to forget the office which he occupies, and as this is just the beginning of a system he has done something which I am sure he has to regret unless he changes the entire system and prevent a lot of us from being elected here.

What we really want done therefore, is to have this entire matter gone into; and it can only be gone into by such impartial legal authorities as those who would have to advise the Government; but I am afraid that naturally the Premier will fight every inch of ground and rightly so, to test this whole matter. I say rightly so because if the Opposition raise this question of breach of convention, it is the Premier's duty to fight with the Governor to show that it is not a breach of convention. We have always hoped that the advisers to the Governor will forget that there is either a Party in Opposition or a Party in the Government; but today you will find a lot of officials back-slapping and licking because they are looking for promotion; but sooner or later the Colonial Office will catch up with a lot of them. It is the Premier's duty I say, to fight every inch of ground and it is for us to see that the conventions are maintained. We do not want

any *saga boy*; we want a Governor. We asked the Governor for an interview; we did not want to advise him. Do you mean to tell me that with a system which has been going on for 300 years—Of course I told the Leader of the Opposition to let me do the telephoning all alone. I wanted to know when it was said that the Governor would see us and the answer came: "I do not think it is proper to see him." We thought it was proper to see him; the answer came that we could not see him; it took half an hour before we could get that answer. As a matter of fact I made my decision in this matter last night; any Governor who adopts that attitude can tell you what his position is going to be. Even if he is morally afraid at the point of discourtesy to see the Opposition—

Mr. SPEAKER: I will just caution the honourable member to remember Rule 126: "No member may use the Governor's name irreverently in debate, nor for the purpose of influencing the House in its Governor's deliberations."
9.40 p.m.

Mr. E. D. MOTTLEY: It is difficult in this instance not to make reference to the Head of the Administration, but I am not using his name in influencing the debate. I do say that we asked for an audience, and it took half an hour to give us an answer. Human beings are human beings; we are dealing with something to which we are opposed; and it is our interpretation of the convention that we should do a certain thing in a certain way. I am fighting every inch of this matter; I look back at the custom of having an impartial person at the head, we cannot advise the Governor; I feel he said that he could not see us for fear the Premier report him to Downing Street and prevent his promotion.

That is how it is; how else could we feel? It is our duty. We find ourselves in the Opposition today; the Opposition of today may be the Government of tomorrow; we must get this issue tested. We will have no ill feeling for the Governor if he has to give an opinion or ruling which is against our interpretation; God forbid that we should have any grudge; but the Governor should not adopt the attitude that he has adopted. Do you think it was nice reading this morning that the Governor refused to see elected members of the House of Assembly? The Governor has put himself too far in it. Whatever his opinion might be, and whatever his decision is to be, he should not allow it at any rate to get abroad that he is leaning on one side or the other.

I said that there is no necessity to generate any heat but the treatment by the Governor of those gentlemen, deserves the criticism which I suppose he will get even later in this debate. As to the view expressed by the hon. junior member for St. John, he is entitled to his view. He feels that the Premier alone should be able to dismiss a Minister; I do not think he feels that the Premier alone should be able to appoint a Minister.

Mr. Speaker, I am supporting the views expressed by the Opposition because we want to have a ruling on this matter; I do not mean a ruling from Your Honour; I mean a ruling as to whether the reduction by a dollar of the vote which came under the Minister's portfolio (and that is nothing to do with whether it was for the Spa Road, Haggatts Road, Bruce Vale Road or any other road) constituted a vote of censure against the Minister. The fact remains that after much discussion lasting for two Tuesdays, it will be noted that during the entire debate there was no criticism of the actual Government's policy, but criticism of the policy of the Minister in handling that particular portfolio.

That being so, what would follow if we are to follow the English Convention as closely as is practicable for Barbados? If the House has censured the Minister's policy in handling that particular matter, it follows that the Minister should resign; it also follows as the night follows the day, that the Premier will fight to have the Minister retain his seat. [Hon. G. H. ADAMS: Me fight?] You can always tell when the Premier is afraid. I can hear a voice saying "Let us have an election"; but they dare not. People will fight the Government Party not on the question of roads, but on the question of Emigration and the foolishness that the Minister of Labour came back here from England and talked.

Mr. Speaker, as I have said, there is nothing personal in this matter; if it had been the portfolio of any other Minister we would have adopted the same attitude. It is our duty and we have got to carry it out; therefore I feel that this debate will serve a useful purpose in showing how Ministerial Status and the system of Ministerial Government should operate. If as some members feel, this particular matter is trivial and that the reduction of the vote was not a criticism of the Minister's policy, let that be ruled by the person who, under the Convention, has the right to make that ruling. But we are submitting that the criticism which was made was against the policy of the Minister and was a vote of censure; despite the fact that after the reduction, the Minister was allowed by Your Honour to give a lengthy explanation. It is no justification to say after the reduction was passed, that because he gave an explanation, the reduction of the vote did not constitute a vote of censure, and that therefore the Minister of Communications should not resign.

The Hon. Minister's vote was reduced, not by any snap vote; but it was reduced after hours of debate that lasted for two meetings despite the fact that he gave an explanation. Another important point is that you will find from the debate that the hon. senior member for St. Philip said that he was moving the reduction as a mark of protest. We have had divisions on very small matters, such as whether the House should adjourn, which you might call snap votes; no one could attempt to suggest that the vote by which the particular Head was reduced was a snap vote; I have no doubt that that is what will be put up, but it is not true; the debate went on for hours. The Government has 15 members in this Chamber; the debate, as I said, went on for hours and gave the Government an opportunity to summon its members; and therefore how could anyone suggest that this was a snap vote? If the Government has 15 members and they could only get six to vote against the motion for reduction, does that not show that there was great dissatisfaction?

I am not going into the merits of repairing the road. The fact that the vote was reduced by a dollar and that the Hon. Minister has not resigned is a breach of the convention. As the hon. junior member for St. Peter has said, if the Head of the Administration is going to tell the Leader of the Opposition that he could not see him because of the conventions of the Ministerial system as the hon. junior member for St. Lucy has asked, are you going to observe one part of the convention and forget the other part? Will you observe that part which prevents the Governor from seeing members of the Opposition because he is afraid of someone in the Government, and then say you will not observe the other part of the conventions which says that in the circumstances under which the reduction of this vote was made, the particular Minister should not resign?

9.50 p.m.

Do not make the people in this country cease to respect the people whom they send here as Gover-

nors; a Governor has always stood aloof from party politics. If the people cease to have that respect, Ministerial Government or no Ministerial Government, that position would be a farce. Of course, Ministerial Government in this colony is just a hybrid; we are trying it out; we of the Opposition said we are giving it a trial. We felt that we had a long way to go and we also realised that you would not be always in power. We did not criticise the Ministerial system, but you said at that time that you were following the customs in the United Kingdom. What would be the position if a Minister in England had his policy so criticised, and the members of the Opposition had succeeded in getting the House to agree to a reduction in a vote? We do not want to show that we have anything against a Minister, we want to show it was against the Minister's policy. We could have voted against the whole Government; therefore, by what we have done, it would be seen that we have voted against the Minister concerned; and I am sure the Governor sees that unless he is leaning heavily on one side. If he is leaning on one side, there will still be those of us who would be in here and who would still get up and talk; he is not going to meet it very easy. I feel the Hon. Minister of Communications having had this particular item reduced by a dollar, it is his duty to resign.

Hon. G. H. ADAMS: I had hoped that I would have heard somebody else, but it is absolutely immaterial to me who follows after me. I am glad that the Mover of this motion adopted the attitude he has adopted. Instead of the hurricane with which we have been threatened, I may say now that it was not even a squall, it was not even a high wind; it confirmed what we on this side of the House feel about the Leader of the Opposition: that he found himself in the unfortunate position of having been pushed from behind. The Editor of the *Advocate* newspaper having said in an Editorial about two Sundays ago that it was his duty to do something about it, and some other members of his Party having told him likewise and put him in the vanguard, he moved this motion; but I must congratulate him on the way in which he did it today at any rate. Without any pretense whatsoever when he spoke today, you could see that he was not speaking with any authority; but merely with the feeling that it was his duty as Leader of the Opposition, according to what was spoken, to spring this motion before the House. I have already told him today privately that if he had adopted a different attitude, I am afraid it would have been my duty to be very strong in my language as to what is possibly behind the whole of this. Mr. Speaker, I have said this more than once and I say it again: (I have said it earlier today) I am conscious of the fact that being a lawyer and because more members of this House are laymen, I realise that they do not know and they get tangled up; perhaps it is a good thing for the legal profession. They should have been advised by persons in their own party (particularly by the persons who have long legal experience) that this matter suggests nothing of a breach of privilege; it is utterly absurd to think this suggests that the Minister of Communications did something wrong, and therefore would have to resign; to say that there is a logical conclusion in implying that this vote was a vote of censure could not be more absurd. And to suggest that the Governor has the power to dismiss a Minister except on the advice of the Premier of Barbados is something worst than stupidity. To suggest that the Secretary of State for the Colonies should be appealed to, is something which it is hoped they will do; because they will get the biggest flea-bite in the ear if they appealed to Mr. Lennox-Boyd to chastise me for not calling on the Minister to resign. I hope they will have the courage to do so.

The convention (and the hon. junior member for St. James knows it) makes it compulsory for the Queen to act on the advice of Her Ministers. If Sir Winston Churchill does not agree to call on any Minister of his Parliament to resign, the Queen dare not call on that Minister to do so; she would be acting unconstitutionally. It is the same thing under our present constitutional set-up; there is no difference. Even when a predecessor of Sir Winston Churchill called on King Edward VIII, the King did not dare go against Mr. Baldwin's advice; he had to abdicate first. The same would apply to my position; the Governor would go, not me. I say that without any offence to the present head of the Executive who could not possibly make that mistake; he could not, and from the knowledge of his position he would not. Some people may not know that he was at Oxford University and that he read Jurisprudence; that is why I say he would not. He also has legal advisers and he would know his position in this set-up.

It has been hinted occasionally that we cannot go into the merits of this matter. Nobody is now questioning the vote of this House; but surely having said that the constitutional conventions under which the present Government is working, (and they are there for a child to read) they ought to know what are the relations of the Queen with the Cabinet of Great Britain.

Now, if we can agree to say that the relations of the Queen and the Cabinet are as clear as the sun at midday, then what is the position? If the Premier or the Ministry as a whole fails in a vote on something of major policy, if the House voted against the Ministry, (which fundamentally is the Premier; and he is the only judge of what is a matter of major policy) can he then not go to the Governor and say: "This is an adverse vote on our policy and I resign." 10.00 p.m.

The Ministry is the only judge, and the Premier ultimately. What happened? I can go only by the *Official Gazette*; the *Official Gazette* says that the hon. senior member for St. Philip in moving this reduction, said that his moving it would not have the effect of preventing this matter from going on; but it would be a mark of dissatisfaction felt by the House. By no stretch of imagination could anybody say that that was a direct vote of no confidence. I am fortified in my conclusion by reason of the fact, that the hon. junior member for St. Andrew said that it was a perfectly correct thing to repair the Spa Road and he voted with the Opposition. How could I say that it is a vote of no confidence when the same hon. member who voted with the Opposition said that this Spa Road should have been done a long time ago? How could I call upon a Minister to resign when a vote from a member of the Opposition is like that? The Premier has to look at all the circumstances of the vote; he has to see if the matter is one affecting a major point of policy. I am not asking hon. members just to take my word for it; they will find that the matter is set out in the latest edition of 'Ridges' "Constitutional Law" by G. A. Forrest. I will deal with the hon. junior member for St. Lucy in time; I will show how his special pleading is utterly unworthy of anybody who claims that he speaks with intellectual honesty. It is utterly untrue to say that self-Government is granted to a colony but it goes back some other time. Self-Government is Self-Government; it is just sheer nonsense for anybody who reads or quotes an Address to the Governor when Ministerial Status was begun in this country—Any school boy can tell you what happened at the time when Ministerial Status was introduced. The conventions which govern Great Britain to-day in so far as they apply to Barbados, are those by which

we are working. This is what is stated in this Ridges latest edition on Constitutional Law: "As a result of the change of relations since 1867 between the electorate and the Commons, the Rule of resignation is no longer confined to cases of vote of no confidence. It is now the convention that a vote on any issue of importance is fatal to the continuation of the Ministry in power, unless it can successfully appeal to the electorate." The Ministry of course decides what is a vital vote. The same thing applies to the resignation of individual Ministers; if the Premier feels that the circumstances under which the vote was given and the nature of it do not warrant a resignation he ignores it, otherwise he is playing into the hands of people who have got a personal dislike for a Minister, and he may be just helping them to main a victim; that may just throw the Ministers to the wolves. There is not the ghost of a chance of my discussing the question of the resignation of the Hon. Minister of Communications; nobody is more anxious than I to see this Ministerial Status succeed, because I cannot cease saying how advanced we are above other colonies; and for us to calmly and stupidly depart from a convention, would kill all chances of a Ministerial Status. If there is a convention which says that whenever there is a vote taken it must be construed as a vote of no confidence, of course the Minister if not the whole Government will resign. Two weeks after this vote was taken, the Hon. Minister of Communications came in here and made a statement as to the whole affair, and pointed out that the hon. junior member for St. Andrew as a Highway Commissioner was pressing for this road to be done. I distinctly remember hearing three hon. members from over there saying: "Why did you not make that statement last Tuesday? If we knew then what we know now, we would not have voted as we voted." I sat there and heard the debate; and do you ask me to conceive of the vaguest possibility of my asking the Hon. Minister to resign? I am fifty years of age, not five years of age.

The hon. junior member for St. Peter made reference to some of the things which took place while the negotiations were going on; as far back as February 1951, I was in touch with the Colonial Office on the question of Ministerial Status, and even before that. I was asked what was wrong with me that I was not pushing the matter; I pointed out that with the state of things in Barbados, I would not be justified in leaving the Barbados Workers' Union at that time. That intimation having been passed on to me that the Colonial Office was quite ready to give Barbados Ministerial Status, (we would have had Ministerial Status the first in the West Indies) verbally I told the Governor what I have just said. Later in 1952 the members of the Executive Committee passed on our views on paper as to the form the Ministerial System should take, and we pointed out that Barbados was different from the other colonies historically and that our Constitution was different; we wanted a Ministerial System which was based on the conventions of Great Britain. Hon. Mr. Turner wrote his views and he used the word "consultation". As the hon. junior member for St. Peter has said, we did not accept the word consultation; we said: "For that matter we will hear you, but we will not accept your views." We said that we would not accept a Ministerial Status in which the Governor was not bound at all times to take the advice of his Ministers except in respect of external affairs; the position of the Premier in Barbados was to be exactly the same as that of the Prime Minister in Great Britain. Eventually the Colonial Office gave way and agreed to the term "Premier" without the use of the word "con-

sultation" which is not repeated in the final Message; that was because we said we would not accept it, if the Governor did not have to take the advice of his Ministers according to the system which prevails in Great Britain. It is my duty ultimately to judge as to whether a matter is a matter of vital importance, and whether an adverse vote would be supported in the country, before I ask the Governor to dissolve this House or to accept the resignation of the Minister. I am the judge, in spite of the remarks which have been made by some hon. members who have not taken the trouble to study what the conventions really are, or if they have taken that trouble, they have made a special pleader's plea.

10.10 p.m.

We objected right at the start to the use of the word "dismiss" on the ground that it was unnecessarily harsh, until we were reminded that this word is used in Great Britain and the Dominions. The Queen may dismiss a Minister and the Governor-General may dismiss a Minister also, but the convention is that it can be only on the advice of the Premier or Prime Minister. If the House is misled by the use of the word "dismiss" I would like to repeat that we ourselves originally objected to that word; I thought it unnecessarily harsh. It may have misled some hon. members into thinking that the Governor has the right to say "go" to a Minister at any time; but he can say it only after being asked to say it by the Premier.

If a Minister is asked by me to resign, he would not resign until I turned to the Governor and said "this Minister has to go"; and then a formal letter of dismissal goes to the Minister. I ask this House to see that it would be a lamentable thing if we, having got a constitution which is the best of all the constitutions in the Colonial Empire, being on the footing of the Ministers in Great Britain in so far as our internal affairs are concerned, it would be a lamentable thing for this House by any serious expression of opinion (let alone by a vote) to commit an action which can do us no good.

Can anyone complain to the Secretary of State for me? All I would tell the Secretary of State is to mind his own business. It is for this House to say if they want the constitution altered again; can the Secretary of State tell me that I did wrong in that I should have called on the Governor to dismiss the Minister of Communications? He would not dream of doing it.

I hope to hear of what Lord Lloyd will tell the hon. junior member for Christ Church when he goes to see him; I am sure that Lord Lloyd will tell him that we must settle our own affairs ourselves. I am told that he is too polite to tell the hon. member what he should tell him; that is, that he does not know the beginning of the meaning of the word "convention". The most I will tell him is that it is a Barbadian matter, and should be settled among ourselves.

I will not keep the House long; I hope I have made the position as clear as I can. Discussions relative to Ministerial Status started as far back as 1951; we fought on this and that point, and finally the Colonial Office gave way on several points. We insisted on certain things until they agreed with us and gave way on what we wanted. I do not want to quote things that have not been made public yet, but I will say that after the Hon. Mr. Turner has sent his despatch, we were informed by the Governor that he would forward a copy to us. It was a matter between Mr. Turner, the Governor and the Colonial Office; it was a secret as far as we were concerned. As soon as we

read two or three paragraphs of it, we strongly objected to certain things as the hon. junior member for St. Peter has said. We objected to the use of the word "consultation". There was some correspondence and we wrote as follows:

"In other words, whatever functions exist in Great Britain, relating to the appointment of, and termination of, office of ministers; to the summoning, prorogation or dissolution of the legislature; to the appointment of non-hereditary members to the Upper House; the acceptance of advice of Ministers of the Crown; to their collective responsibility; to the position of the Prime Minister vis a vis the Crown, the Legislature and the Cabinet and generally to the exercise of the Royal prerogative of government by a constitutional monarch, should, in purely internal affairs as referred to above—be observed in Barbados.

Hon. members will see now that I have read that, that in effect those words are copied in the despatch; I am sure that even the Opposition would not wish it to be otherwise; they would not wish us to have less control over our own affairs. I am sure that they want us to have absolute self-Government barring things like Police etc.

I have practically finished. Although the hon. senior member for the City said he preferred light to heat, he did wax warm. Unless you are a lawyer, and unless as a lawyer you have a liking for constitutional law, points like these may easily escape you.

10.20 p.m.

The law does not always mean what it says; at least, that is the view taken by some laymen. What to them it seems to say, the very opposite may be the case. There are numbers of people who unfortunately get into trouble over land because when a conveyance says "I bequeath to your heirs and assigns certain possessions," they think, as they put it in their own language, that it means that land goes from seed to seed. The law is such a strange creature, if you leave out the phrase heirs and assigns it goes from seed to seed, but when you put it in, you mean that you are absolute. Little points like that mean a lot until you give them a lot of thought and learn them; sometimes they even escape the notice of lawyers; so in affairs of constitutional law, until you have learnt your history of the development of the particular colony and you know the constitutional law appertaining to it, and until you know the background of the beginning of any constitution, you can easily come to any conclusion. Let us say for instance, that you know of something that has happened in Jamaica and you know the constitution of some West Indian colonies; you therefore assume that the Bahamas has the same constitution; but it does not mean that it is so.

I am not attempting to blame the Opposition for their attitude today; I am not going to say they knew that they were wasting the time of the House; I realise that at any rate a few hon. members on that side of the Table did not know; and of course by not knowing, you would make a mistake of this sort. I am glad to note that the hon. junior member for St. Peter said what he did; and I am taking this opportunity in view of one sentence which he made, to thank the hon. member. He did write this letter to me, and he did say what he always said. This is in one paragraph of his letter to me: "the dismissal of a Minister and other matters connected with that, should be done under the advice of the Premier. The Governor should not be left with the power to act alone. We have never backed down from that."

When I decide as Premier that the electorate is not going to support us, or if there is the possibility that the Government is defeated on something which is of a major issue, I can then go to the Governor and put my resignation in his hands, and advise him to call for such and such a member or to hold an election. There is a bare possibility that a Prime Minister might resign and his resignation may not call for the resignation of the Ministers. He may say I no longer believe in liberalism or socialism and as a matter of principle may vacate his post; but normally speaking, the resignation of a Premier or Prime Minister carries with it the resignation of all the Ministers. It would be shocking to some hon. members to know that there is not the right of access to the individual member of this Assembly to the Governor. When His Honour lays claim to freedom of speech and the right of access to His Excellency the Governor at all times, and at that a favourable construction should be placed on what is said in this Chamber, Your Honour is really repeating what was repeated since the days of Henry VIII. I will only read from the early part of Chapter 3, of "May's" Parliamentary Procedure:

"Both Houses of Parliament enjoy various privileges in their collective capacity, as constituent parts of the High Court of Parliament; which are necessary for the support of their authority and for the proper exercise of the functions entrusted to them by the constitution. Other privileges, again, are enjoyed by individual members, which protect their persons and secure their independence and dignity.

Some privileges rest solely upon the law and custom of Parliament while others have been defined by statute. Upon these grounds alone all privileges whatever are founded."

"May" goes on to say: "The privilege of access is not enjoyed by individual members of the House of Commons, but by the House at large, with their Speaker; and the only occasion on which it is exercised is when an Address is presented to the king by the whole house. Without this privilege it is undeniable that king might refuse to receive such an address presented in that manner; and that, so far as the attendance of the whole house may give effect to an address, it is a valuable privilege. Addresses of the house may also be communicated to the sovereign by any members who have access to him as privy councillors or as members of His Majesty's household."

As you can see, when we lay claim to the right of access that is not a right enjoyed by an individual member. The Governor would be discourteous to still see an individual member who wanted to see him about a matter, which would put him in the position of appearing to take sides. In the old days when he could over rule his Executive Committee anybody could see the Governor and nobody would object; but as soon as you have a Ministerial System, anything which affects a Minister's Department should be addressed to the Minister. Imagine Aneurin Bevan telephoning and asking for an audience with the Queen and the Queen granting it!

10.30 p.m.

Mr. TUDOR: On a point of Order. Aneurin Bevan could do that by virtue of his being a Privy Counsellor.

Hon. G. H. ADAMS: The hon. member is fresh from his books; no constitutional monarch would begin to have an audience of that sort; no constitutional monarch would do that. There is no individual right of access, and when the Governor was advised on this particular matter, he acted as a constitutional Governor should act. Imagine an hon.

member bringing into this argument, the fact of the hon. members for St. Lucy having gone to the Governor deploring the arrangement that Princess Margaret was not passing through the parish of St. Lucy; while the hon. junior member for St. Lucy was talking, he realised that this was a different matter. Ceremonial matters do not come under anybody's portfolio but the Chief Secretary's and the Governor's; those matters have nothing to do with the Ministries. When it came to the other delegation presenting the Resolution which was passed at a meeting, the Governor reported the matter to the Executive Committee; that is why they went to Government House and the Hon. Minister of Labour was present. The members of the Opposition feel that the Governor was not doing his duty; if the Governor had acted other than how he had acted, he would not have been acting constitutionally. I am defending this matter under the constitutional position of the Governor today; except for external affairs and the everyday operations of the police, the Governor has no better position than the Queen of England has in the United Kingdom.

I am glad that all members have listened to me with the attention which they have paid to what I had said. I regret this debate, because it was not necessary. I do not blame hon. members who may not have carefully scrutinised the Governor's Message which was sent down here, and who were misled by referring to Hon. Mr. Turner's letter which is a part of the negotiations, but not the ultimate part of them. I believe that the hon. Mover of this motion and his Conservative colleagues made an honest mistake; but from the point of view of the amount of time unnecessarily spent, it is regrettable. But if the hon. junior member for Christ Church had dropped this thing altogether, I would have brought it up in order to make clear to the public what the constitutional position is. Everybody knows that we have self-Government; and I hope that there will be no more talk about the Governor doing his job and any reference to Mr. Lennox Boyd. The conventions of Great Britain being what they are, the day any Minister makes a slip on a matter of major policy and has not got the confidence of the House, (I am not doing what I have seen done or happen in some other territories,) I am resigning and I may call upon others to resign. Where a real convention comes into play, I will observe it in the same manner as the members of the French Government would observe it. I repeat: it is a good thing that the air has been cleared; and in the future nobody will be able to make this mistake again.

Mr. E. K. WALCOTT : Mr Speaker, I think I had better say a few words in connection with this matter. When we were considering the question of Ministerial Status, the Premier was always at great pains to remind us that if a department or a Minister looking after a department, suffered the equivalent of an adverse vote of sufficient importance, then he would not necessarily be required by the Governor to resign; we would be able to hold the Minister responsible and he would be required to resign. The point which we have been making over here as has been mentioned (unfortunately the Premier was not present,) is that it was a matter of hours debate; it was a measure which we passed taking off one dollar off the vote which was passed, and it was done as a mark of censure. [Hon. G. H. ADAMS : Censure?] Well, dissatisfaction; and so much so, that they tried to avoid this motion of dissatisfaction, and the Leader of the House got up and mentioned that in view of what was said, the Government was prepared to investigate the matter; therefore it was perfectly obvious at the time, that

the Hon. Leader of the House was regarding the motion as a motion of censure and was trying to bar off the result, [Hon. Dr. H. G. CUMMINS : Not at all] by suggesting to the House at the time that the Government would be prepared to investigate the matter. There could be no doubt that from the tenor of the debate, the whole thing was conducted on the line that the Minister had shown himself to be irresponsible in the matter in which he was concerned, and that whereas, we were not going to withhold the vote, but we would take off some of it as a mark of dissatisfaction.

10.40 p.m.

The Premier is suggesting that what we are bound by is entirely the same as it is in England; I think you will come to find, or he will come to find later on, that that is about as inaccurate as what we have been already treated to to-day. This is not a constitutional monarchy; not yet. The Governor still sits in Executive Committee; the Queen does not sit with her Cabinet and we know that that is a step which we are working towards; but we have not got there yet.

The Premier knows very well, if he can read a Constitutional Law Book aright, what is laid down; and when he sits in the Chair and the Governor is removed from the consultations of Executive Committee, then we will have moved into the same position as a constitutional monarchy, and not before. I am not going to challenge the Premier on what happened earlier; but he can look it up, and then look this up.

As regards the letters which were written by Mr. Turner as acting Governor, I have not got the reply which was given by the Hon. Secretary of State, Mr. Lyttleton. If the Premier can show me, as he may be in a position to do, any spot or place in which alterations to the letter or the terms of the letter of Mr. Turner the Acting Governor took place, that will strengthen his argument that it is not a question of what was laid down in the letter of the 30th April, 1953, in paragraph 22 which he was explaining to the House. The paragraph said:—

"Again proceeding along the lines of development from which the present system in the United Kingdom has been evolved, I consider that the appointment of the Principal Minister should be made by the Governor who should appoint the person who appears to him to be best able to command a majority in the House of Assembly. The other Ministers should be appointed by the Governor on the recommendations of the Principal Minister. Any Minister should be liable to be dismissed by the Governor after consultation with the Principal Minister and, in addition to resignation in the circumstances referred to in paragraph 21 above, the resignation of the Principal Minister must be deemed to include the resignation of all other Ministers who would automatically go out of office with the Principal Minister."

The reply to that sent on the 24th August, finished up by saying "I would agree that if a system on the lines proposed is adopted it would be suitable that the Principal Minister should normally be appointed to be a member of Executive Council. I share the view that the changes mentioned in paragraph 19 of Mr. Turner's despatch should not be made."

The Hon. Premier has mentioned that that is not in issue; if he can tell me that there is another communication for which I ought to be looking, I would be only too pleased to correct myself. [Hon. G. H. ADAMS : The Governor's Message.] The Governor's Message only deals with procedure on decisions in Executive Committee, which were in keeping with what Mr. Turner had proposed, and

were in keeping with what was proposed by Mr. Lyttleton.

Hon. G. H. ADAMS: The Governor then sent a Message to this House in which he said, "I deem it would be incumbent upon me, as, indeed, it would be incumbent upon the Ministers, to follow the constitutional conventions observed in the United Kingdom, so far as these were applicable to local circumstances etc."

Mr. E. K. WALCOTT: Paragraph 22 remains today; it is referred to in the despatch; it holds good to-day unless there was a specific overruling of it in some later despatch. Mr. Lyttleton particularly said that that was to be the procedure. [Hon. G. H. ADAMS: He did not say that. He said that it appeared to him to be suitable. *[Laughter]*. We said that if it was not suitable we would not accept it.] There is nothing refuting it barring a Message which makes no mention of how the Ministers should be deposed of. [Hon. R. G. MAPP: As in England.] We are now getting like Argentina; there is Peron, the Peronistas, and the bully boys who look after Peron! It would have to be Peron! Peron! Peron!

The Premier has given his interpretation of it: as long as he can command 15 members, 15 "Ayes", that is the attitude that he can adopt where his own Ministers are concerned. Even in England where a decision is the collective decision of the Cabinet, a Minister himself is liable to lose his post on a vote equivalent to a vote of no confidence of sufficient importance, being passed against him. Of course the Minister may be hard boiled or thick skinned and he may not trouble himself; but what we are saying is this: if the Premier did not happen to be present—We appreciate the fact that he is past redemption; but the island is not past redemption, and the public knows that. If he were in the Opposition and someone else was looking after the Government we would soon see the possibility of improving the Constitution so that it would become more like England than it is today.

They are not suggesting that we hope to go the full limit of Ministerial Status in the full sense of the word, and was in complete command of our own resources. No where does it appear that the Governor is not entitled to dismiss anyone without the consent of the Premier. As it appears in Paragraph 22, it is clear that the Governor after consulting with the Premier would normally follow his own opinion.

As regards the debate during which the reduction of the vote was passed, it was a long debate in which it was emphatically said that the manner in which the Minister handled his portfolio was a matter of great dissatisfaction.

10.50 p.m.

Now, he says that when you see the hon. junior member for St. Andrew saying, that was a good thing to do, and then voting for the reduction of the dollar, that is one of the things which he would take to himself to say could not be regarded as a motion of censure. Surely, the exact opposite is the case; it could not be taken otherwise. When the hon. junior member for St. Andrew was first speaking and dealing with the matter, it might have appeared as trivial to the hon. member, but when the debate had gone on further and had assumed such proportions so near to a scandal that the Hon. Leader of the House promised to have an investigation by the Governor, (and you can see it in the debates) it is to be noted, that the hon. junior member for St. Andrew went back on his words, and voted for the reduction of the dollar. You can only come to the conclusion that he too was of the opinion that some mark of dissatisfaction should be made in this House

against the Minister concerned. [A VOICE: That was on your advice.] And it was so with other members too. If the principle which we now have is distinct from England, and that all decisions taken are decisions taken collectively, and therefore collective responsibility of the Government is the Ministry as a whole, well then, of course, as the Hon. Premier rightly said, the question would arise whether it was a question for the whole Government; but that point was never made. The point which was made at that time and which was intended to be made, was that this particular Ministry did not conduct its affairs properly in the eyes of the House, and hence the vote of censure.

As regards the right of access to the Governor, that is not as simple as it would appear. I do not want to argue one side or the other; I will only say that I agree with the hon. senior member for the City, and that is, in case the Governor had seen the deputation, silence would be the thing for him to do. Again, the person against whom the matter was complained, should have been present when the complaint was made.

As regards the Premier's bombast about Lord Lloyd and his saying "I the Premier would fire the Governor," apparently he was going to by-pass Lord Lloyd and see the Secretary of State for the Colonies; he knows perfectly well that an approach can only be made along the proper lines. He knows perfectly well that the Secretary of State for the Colonies will not entertain something which can be decided internally. Whether or not the Premier's interpretations of the instruments and of the letters that are before us leave him in complete control with the Governor merely as a constitutional monarch, or whether or not it does not mean that the Governor needs not go and consult the Premier on all these actions is a matter to which I am not going to add. I will only say it is rather sad to think after repeated speeches by the Premier himself before we had Ministerial system, and even since the theory was passed on that it is not necessary to pull down a Government if you want to remove a Minister and that a Minister is to protect his department and his officers and if you can prove that he is inefficient or incompetent, then that is the case in which a Minister should go. He has said that on more than one occasion.

If it is as one hears: that he does not let the other Ministers decide anything and that all the decisions come from him, then one can quite appreciate, if that is true, I do not know, he would find himself in great difficulty if he found that a decision taken by him on a matter met with a measure of dissatisfaction through which a particular Minister was called upon to resign.

As long as we have an Executive Committee any decision is taken collectively, but the Government has still to take the advice of the Minister concerned. Do I understand from the Hon. Premier that this decision and all other decisions, are always the collective responsibility of the Executive and the five Ministers, and not a decision taken by them in any department at all? Let us take this specific instance as an example; the Hon. Premier was out of the island; are we going to be told that this decision to do that work was taken by them all? As I see it, this matter has something to do with the particular Minister; it has nothing to do with the collective responsibility of the Executive Committee. It was his decision to do that road; therefore, the special responsibility of the particular Minister has to be viewed in the light of that; and the vote

of censure could be only passed on him and not on the Government.

Let us put it this way; we have heard *Lex et consuetudo parliamenti... ab omnibus... quarendam, a multis ignorata, a paucis cognita.* (Laughter) They laugh because they do not understand. "The law and custom of parliament is known to few and not to many." It is hard to talk to the ignorant and even less to the intellectual.

It is hard to talk to the ignorant and less so to the intellectual; that is the position of a department, and that is a position which the House has said required investigation by the Governor, as the Hon. Leader of the House had said. If the Premier is working under a convention, he should give consideration as to whether the Minister should be dismissed, otherwise we are near enough to South America and our development is taking place along the wrong lines. No matter how the House votes its censure on a Minister, as long as he is available and true and grateful although inefficient, we will be faced with having him as a Minister so long as we have the same Premier. This is not democracy at all; this is despotism. You cannot do these things and lead a majority in the island. Our position is more hopeless than we could want.

11.00 p.m.

Mrs. BOURNE: Mr. Speaker, we have had a long debate on this matter. I too feel like the hon. junior member for St. Peter who has said that the Hon. Minister of Communications cannot be censured on a matter like this. I therefore feel that the motion which is now before this House should be amended; and I beg to move that it be amended to read as follows:

That this House has confidence in the Hon. Minister of Communications, Works and Housing.

Mr. Speaker, if this can be used as a vote of censure on the Hon. Minister—

Mr. SPEAKER: There is no vote of censure on the Hon. Minister of Communications.

Mrs. BOURNE: If this motion can be interpreted to mean that a vote of censure can be moved on the Minister, I feel that the community would have to say that the Hon. Minister has not acted on behalf of people in helping them out of their difficulties in getting their canes to the factories and so on. It is regrettable to think that some hon. members instead of getting facts and trying to do something in the interest of the people, should spend, in my view, many useless hours here night after night in debating matters in this nature. I do hope that the Hon. Minister will take this debate tonight as a warning, and that he will be very careful with his P's and Q's and consider what will happen if he makes a mistake in his Ministry.

Mr. HOLDER: I beg to second the motion made by the hon. senior Member for St. Andrew.

Mr. SPEAKER: A motion has been made by the hon. junior member for Christ Church and seconded by the hon. junior member for St. Lucy.

Mr. TUDOR: I seconded the motion for the purpose of sustaining a debate.

Mr. SPEAKER: The hon. member seconded the motion in order that there should be a sustained debate. Every motion would have to be made—

Mr. E. D. MOTTLEY: You said that there would not be any division on this matter; you absolutely did say that.

Mr. SPEAKER: What I said was that the motion need not require a division.

Mr. F. L. WALCOTT: Mr. Speaker, if I have to vote on a motion I should like to know what I am voting on. [Asides]. If any of the Ministers must

elect to act in Your Honour's place, that is what is causing debate.

Mr. SPEAKER: The hon. member need not pay any attention to that.

Mr. F. L. WALCOTT: At some times you are forced to pay attention to it.

11.10 p.m.

Mr. SPEAKER: The hon. member cannot—

Mr. F. L. WALCOTT: Mr. Speaker, I—

Mr. SPEAKER: The hon. member will sit. [Mr. E. D. MOTTLEY: Why did you not tell him that you will name him now?]

Mr. SPEAKER: A member who is not normally as recalcitrant as another hon. member is dealt with more tolerantly.

Mr. F. L. WALCOTT: I am asking what is before the Chamber that I have to vote on. My view was, when the debate was taking place, that there was no question of a vote of confidence or no confidence. I want to know if this is an amendment, and whether we were debating a question of no confidence in the Minister. Your Honour said that there was a question of discussing a matter of privilege, and that after you had reacquainted yourself with the convention you would not preclude hon. members from discussing it. Now I am hearing of a vote of confidence which seems to me to be contrary to what Your Honour ruled from the beginning.

Mr. SPEAKER: I will repeat myself. I said that in order that there might be sustained debate on the matter of privilege raised by the hon. junior member for Christ Church, I told that hon. member that a formal motion should be made. That motion has been made and seconded. I gave the further assurance that such a motion would not be controversial because it was only trying to draw this matter to the attention of the Head of the Administration. As regards the motion made by the hon. senior member for St. Andrew, in my view it is absolutely unwanted and uncalled for. There has been no formal vote moved against the Minister, absolutely none. As a matter of fact I never even intended to put the motion to a division.

I said, I repeat, that the hon. member should be allowed to make a formal motion in order that there might be sustained debate on the matter of privilege. This motion by the hon. senior member for St. Andrew gives the impression that some hon. member is seeking to erase something that has been made against the Hon. Minister. I am disallowing that motion. This is not the time to make such a motion.

Mr. MILLER: Mr. Speaker, with your permission I would like to make a motion that further debate on this matter be dropped utterly.

Mr. GODDARD: Mr. Speaker, I now ask leave to withdraw my motion.

Mr. SPEAKER: The hon. member is asking leave to withdraw his motion. Unless there be any objection leave will be granted. There being no objection leave is granted.

Hon. G. H. ADAMS: Mr. Speaker, you did not give me a chance. I certainly object to that motion. [VOICES: What is the motion?]

Mr. SPEAKER: I will ask the Clerk to read the motion.

The motion was read as follows:—

That the whole of the matter be drawn to the attention of the Head of the Administration.

Mr. SPEAKER: The question is that this matter be drawn to the attention of the Head of the Administration. Hon. members in favour will please say "Aye" and those against will please say "No." I think the "Noes" have it.

A MEMBER: Divide.

Mr. F. L. WALCOTT: A division has been called for. If that is not so, I now formally call for a division.

Mr. BRANCKER: Mr. Speaker, a division was called for on the question that leave be granted [MEMBERS: Oh, no!]

Mr. E. D. MOTTLEY: The motion was to the effect that the hon. member be granted leave to withdraw his motion, and the Premier objected.

Mr. SPEAKER: The hon. member will sit. Let me inform the House. The hon. junior member for Christ Church withdrew his motion and the hon. Premier objected. I put the question and I said that the "Noes" have it. I heard a division called for; the division will now be taken.

The question was put to the vote and decided in the negative hon. members dividing as follows:—

Ayes: Mr. BRANCKER, Mr. TUDOR, Mr. E. K. WALCOTT, Mr. HAYNES, Mr. E. D. MOTTLEY and Mr. GODDARD—6.

Noes: Mr. SMITH, Hon. G. H. ADAMS, Hon. Dr. H. G. CUMMINS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. R. G. MAPPE, Mrs. BOURNE, Mr. HOLDER, Mr. BRYAN, Mr. MILLER and Mr. F. L. WALCOTT—11.

Mr. SPEAKER: I now declare the "Noes" have it.
11.20 p.m.

Hon. G. H. ADAMS: This is the motion which the Mover was endeavouring that there should be no division on it. We now have had the division but the amendment to that motion has not yet been put. Is it not in order that that motion should be put? With the greatest respect to the Chair, do not let us establish a precedent which nobody could advocate. A motion is made, an amendment is made to it, is the amendment not to be put after the substantive motion has been negatived? Mr. Speaker, whatever our views may be, the dignity of this House comes first. What reason there can be to make an exception tonight from absolutely common everyday practices? There can be no justification for that. I beg to move that that amendment be now put.

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

Mr. F. L. WALCOTT: I rise on a point of Order. What I am not clear about, is in view of all the debate that went on, it seems to me that it hinged around a vote of confidence or no confidence. I want to say without any prodding, that I cannot understand the reason why the Hon. Premier should press now for this division on the amendment. After all that has been said, is he going at this eleventh hour to call for a vote of confidence? Did not the Hon. Premier say earlier in the debate that a question of confidence or no confidence is a matter for the Government? Why should he now want to spring a division asking for the same thing? All that you are now doing is encouraging the other side when they see a thin House for the Government to make an amendment to a motion for a vote of no confidence. We have already voted on the issue; why try to carry out something which you clearly see will result in a vote of confidence in the Minister? You are making use of that motion now because of the numerical strength of the Government. According to the vote which has been taken just now, everybody has vindicated the Minister. I feel the Hon. Premier would be entirely wrong to institute a vote of confidence in the Minister at this stage. It would serve no useful purpose; the Minister's character is not at stake. As I have said, the vote taken on the substantive motion shows a vote of confidence in the Minister. If you are going to move a vote of confidence now, because it is advantageous to you, you are only doing it out of spite.

Mr. E. D. MOTTLEY: Mr. Speaker, I submit first of all —

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

Mr. E. D. MOTTLEY: I am speaking on the motion made by the hon. senior member for St. Andrew. I am submitting first of all that that motion is not an amendment to the substantive motion. If it were so the question would have been that the amendment stand part of the substantive motion; and that would have been put first. That motion was a separate and distinct motion therefore, you must give notice of it. If not, I am going to talk on it.

Mr. SPEAKER: I do not consider it as an amendment. It is a separate and distinct motion, and I am not allowing it.

A VOICE: Has it been seconded?

Hon. C. E. TALMA: Mr. Speaker, I beg to second it.

11.30 p.m.

Mr. E. D. MOTTLEY: Mr. Speaker, this is nothing else but an action by the Hon. Premier to railroad something in this House. He is now forcing this House to make a division on a vote of confidence; the Hon. Premier is asking for this division now that he sees the position of hon. members in this Chamber.

They wait until the Opposition is depleted in this way, and then try to press something. Your Honour has ruled that the motion is out of order, and now you have ruled that the motion of the hon. senior member for St. Andrew should be given notice of. The Hon. Premier is now moving a vote of censure against you; that is all he is doing. What is the Premier's action? It is nothing but questioning Your Honour's ruling. Your Honour has ruled that the motion is out of order and now the Premier is pressing that it should be put. Next week if I question that—

Mr. SPEAKER: I ruled that that motion is out of order.

Hon. G. H. ADAMS: For my guidance, I should like to ask if Your Honour is ruling that a motion which has been moved and seconded is out of order?

Mr. SPEAKER: It is not as simple as that.

Hon. G. H. ADAMS: Your Honour's point was why should this motion be pursued? This is no attack on you.

Mr. SPEAKER: I will be very strong now. The hon. junior member for Christ Church was allowed to make a motion in order that a debate might be sustained and for that reason alone. A seconder was obtained in the person of the hon. junior member for St. Lucy. I gave the hon. member the assurance that that motion need not reach a decision but as soon as the hon. member wanted to withdraw that motion and an objection was taken, I had to put the question. The motion moved by the hon. senior member for St. Andrew was an entirely new motion, a motion which needed not have reached the House because it included some idea that the Hon. Minister had to redeem something. Such an action would require notice being given of it. [VOICES: Hear, Hear]. And the other motion in respect of no confidence would also require notice being given of it. I have simply stated that that motion was unnecessary, but what was operating in my mind is that that motion did require notice as it stands now. As far as I am concerned, the House has the right to resume debate on the Estimates for 1955—56 now.

ADDITIONAL STAFF FOR THE HOUSE

Hon. Dr. H. G. H. CUMMINS: This Address in connection with the provision of an additional typist for this month in order to facilitate the reporting of the debates on the Estimates, was circulated sometime ago. Hon. members are acquainted with it and I beg to move that this Address do now pass. It reads as follows:

*The House of Assembly
To
His Excellency the Governor*

The House of Assembly has the honour to inform Your Excellency that the Debates Committee in their desire to maintain a reasonable standard in the publishing of the Debates of the House require an additional Typist for the month of March to facilitate the reporting of the Debates on the Estimates. The House accordingly respectfully request Your Excellency to send down a Resolution for the sum of \$60 as a month's salary for the necessary Typist.

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

Mr. E. D. MOTTLEY: This Address as it stands, is asking for the provision of an additional Typist while we are dealing with the Estimates this month. I personally feel that the amount of \$60 a month for this Typist is too little. The salary of the two Stenotypists already employed is only \$60 a month and that is alright to pay them that salary with a Cost of Living Allowance. It is very different when you employ people permanently and when you employ somebody on a part time basis; I am submitting that this amount should not be less than \$80 per month. I think the hon. member will agree with me that a person who is coming on to act for just a month is usually paid a little more than one who is permanently employed. The other persons who are already employed are getting Cost of Living Allowance and therefore they are actually pensionable. I do not know if the hon. member will accept that suggestion; or if I am in order to move an amendment to this Address. If I am in order I beg to move that this Address be amended by the deletion of the figures "\$60" in order to insert the figures "\$80", along with the payment of a Cost of Living Allowance.

I will forego the Cost of Living Bonus; make it a flat \$80. I think that is reasonable in view of the fact that the Typist will be working for one month only.

11.40 p.m.

Mr. GODDARD: I beg to second that.

Hon. Dr. H. G. CUMMINS: Mr. Speaker, the hon. member did make that point when I showed him the Address. That might be the practice in commercial circles, but in Government circles I understand that it cannot be done. The Government had laid out a scale of wages for certain work and wages must be kept within that scale. The present staff is working for \$60 a month plus Cost of Living Bonus. As far as the Cost of Living for the additional Typist is concerned I promise the hon. member that I will further consider that.

Hon. G. H. ADAMS: Mr. Speaker, it seems to be contemplated that the Estimates debate will last for

a month. How can we estimate for money to pay someone for a month who may not be working for a month? I suggest that the wording should be "At the rate of \$60 a month". Do we contemplate having another Typist beyond the Estimates period? I am going to move—Perhaps I should not make a motion.

The question that the words proposed to be deleted stand part was put and resolved in the negative without division.

ADJOURNMENT

Hon. Dr. H. G. CUMMINS: Mr. Speaker, it is the intention of the Government to proceed at this stage with further consideration of the Estimates.

Mr. GODDARD: Mr. Speaker, on the last occasion, I reserved my right to speak "later", not immediately after.

Mr. E. D. MOTTLEY: It is customary, Mr. Speaker, for the Leader of the Opposition to speak after the Minister of Finance; but we have been here since 3 o'clock to-day until now, and in fairness to everyone we should not continue to debate the Estimates at this stage. I know that with his numbers the Premier can go on if he likes, and if the Opposition goes he can pass the whole Budget to-night. I am only suggesting to the Premier, however, that the Leader of the Opposition would like to make his speech, and that we need not continue with the Estimates now but can come back at anytime that suits the Government. If the Government wants to pass them now they have that right. Let them do so. If they want to they can pass the whole \$13 million to-night.

Hon. Dr. H. G. CUMMINS: Would the Opposition be willing to come at 12 o'clock to-morrow?

Mr. GODDARD: Yes. I am quite ready to start my speech, but I do not think it would be right to start it now.

Hon. G. H. ADAMS: I want to make it quite clear that the Government is not under any obligation (it is under obligation not to take advantage of any minority group in the House) to stop its business because any member of the Opposition wants to go home. I want to make that quite clear. I have heard it said already that Government does this and that at mid-night. When the vote between Conservative and Labour in England was so close, night after night, sick members had to be brought out of their beds to vote. No one has asked the Opposition to go home; but if they choose to go home, do not let it be said that the Government did something wrong or immoral. The Government does not want to take advantage of the situation; but, I repeat, that the fact that members of the Opposition want to go home is no reason why the Government should not do its business. If that were not so, the Government could be forced to stop its business any day by the Opposition going home after tea.

Hon. Dr. H. G. CUMMINS moved seconded by Mr. SMITH, that the House do now adjourn until 12 o'clock mid-day tomorrow.

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

11.50 p.m.