

THE

# House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954—55

## HOUSE OF ASSEMBLY

*Tuesday, 10th May, 1955.*

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

### PRESENT

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

*Prayers were read.*

### MINUTES

The Minutes of the Meetings held on 22nd February, 1st March and 3rd March, 1955, respectively were taken as read and confirmed.

### DOCUMENTS

Mr. SPEAKER: I have the honour to inform the House that I have received the following:—

Financial Report of the Accountant General for the month ended the 31st March this year.

Message from the Hon. Legislative Council returning with amendments the Parochial Employees Pension Bill.

Message from the Honourable the Legislative Council returning with amendments the Bill to amend the Co-operative Societies Act, 1949.

Message from the Honourable the Legislative Council returning with amendments the Bill entitled the Vestries Cost of Living Bonus to Employees Act, 1947—6.

### PETITIONS

Mr. GODDARD: I beg to present a Petition from the Vestries of Christ Church, St. Philip, St. John, St. Joseph, St. Andrew, St. Lucy, St. Peter, St. James, St. Thomas and St. George praying the House to pass a Bill to authorise them to continue

Parochial Employees Pensions. The Petition is respectfully worded and I ask that it be taken as read.  
*The Petition was taken as read.*

### NOTICES

*Government Notices were given as follows:—*

Hon. G. H. ADAMS: Resolution to place the sum of \$2,831 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1955—56, Part I, Current, as shown in the Supplementary Estimate 1955—56 No. 6 which forms the Schedule to the Resolution.

Hon. M. E. COX: Bill to amend the Electricity Act 1936 so as to revise the schedule of fees and to provide for notification and investigation of serious accidents.

Hon. G. H. ADAMS: Of my intention to move the House into Committee of Supply at its next meeting in order to consider the money Resolution of which I have just given notice.

Mr. GODDARD: Bill to amend the Parochial Employees Pension Act, 1944—14.

### QUESTIONS

Mr. F. E. MILLER: To enquire of the Honourable Minister of Communications, Works and Housing:—

1. What is the basis of granting incremental increases to workers receiving wages according to the Key Scale Rates?

2. Is it a fact that a number of employees such as carpenters, Painters and Masons serving in the Public Works Department have not received any increment since the beginning of the current financial year?

3. If the answer to No. 2, is in the affirmative, will the Honourable Minister state why such increment have been with-held?

### BILLS READ A FIRST TIME

*On the motion of Hon. M. E. COX, seconded by Hon. G. H. ADAMS the Bill to amend the Electricity Act, 1936 so as to revise the Schedule of Fees and to provide for notification and investigation of serious accidents, was read a first time.*

*On the motion of Mr. GODDARD, seconded by Mr. HAYNES, the Bill to amend Parochial Employees Pension Act, 1944—14 was read a first time. 3.25 p.m.*

## LEAVE OF ABSENCE

Mr. BRYAN: Mr. Speaker, at this stage I would like to ask on behalf of the hon. junior member for St. Peter for two months leave of absence as from to-day.

*There being no objection leave was granted.*

## INTERRUPTION BY NOISE

Mr. LEWIS: Mr. Speaker, I wonder whether it is possible that something could not be done to stop that noise out there. It is very difficult to hear hon. members.

Hon. G. H. ADAMS: Mr. Speaker, it is just not right; no matter what is going on in here that sort of thing should not be allowed; and I support the remarks of the hon. junior member for the City. It is impossible to hear yourself; people should realise that they have to respect the House of Assembly.

Mr. GODDARD: I think that if your Honour were to draw it to the attention of the party involved they would be only too glad to make provision against this noise on the occasion of the meeting of the House. It was only started two days ago; and I am sure that if Your Honour would by some means ask them to stop it they would willingly do so. That sort of noise continues down the wharf-side all the time; but you must give certain facilities to the people repairing their buildings.

## INCOME TAX (AMENDMENT) BILL

Hon. G. H. ADAMS: Mr. Speaker, If hon. members will agree, I propose to ask the House to take No. 15 on the Order Paper. This is a simple Bill and it could be passed to-day.

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

Hon. G. H. ADAMS: As hon. members will see in the Objects and Reasons set out in the Bill, under the Income Tax (Amendment) Act, it is pointed out that, "although section 43A (2) gave authority to the Commissioner to give notice varying the amounts deductible from an employee's salary or wages in such manner as may be necessary to ensure that the actual amount of tax due is paid within the financial year, there was in fact no other power to vary the deductions if, for instance, the employee through illness or for other reasons wished to have the payments varied. When this was pointed out, an undertaking was given on behalf of the Government that the Act would be amended by adding a provision enabling the amount of the tax to be varied with the consent of the employee."

This Bill seeks merely to amend the Act and I beg to move that the Bill be now read a second time.

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

Mr. LEWIS: Mr. Speaker, I am glad to see this amendment, and I would take this opportunity now again to counsel the Government to use its best endeavours to make this scheme to which this Bill applies a popular one. I do not think that this has been taken up in the way that it might have been. I feel it is of inestimable benefit to employees; but owing to the fact that there is some objection to it in its introduced form, I understand that it has not become popular. I would counsel the Government to circulate the employers and ask them to approve of it and let their employees know. I know that there are some employees who are afraid to talk of this scheme because they feel that if they did, it is going to entail some trouble. Apart from that, this is a

very good piece of legislation. Since I have been in the House I have been asking for something like this. Therefore I would counsel the Government to undertake to make this a popular feature of income tax. I feel that there are others who would like to take it up but they are afraid of their employers.

Mr. GODDARD: Mr. Chairman, I think that this Bill is really for the employers; and when it was introduced I said then that in that section of the community they had reasons to do this. No clerk that I have employed has ever told me that this was not what they wanted. As far as the employers go, if the Income Tax Dept. tells them to make these deductions the employers will do it. It is purely a matter for the employee if he feels that it is right or more convenient for him. I wonder now when the Premier replies whether he can tell if the civil servants are also making use of this Bill.

Hon. G. H. ADAMS: Mr. Speaker, I will take into consideration what the honourable junior member for the City has said: that the Income Tax Department should send out a memorandum to all employers asking them to co-operate with the employees; and I hope that the Government will be able to get this scheme working smoothly.

I do not know about the civil servants; I should think that it would be extremely stupid of them not to take advantage of this Bill; their salaries are fixed by law; (I used to hear ages ago; I have not heard recently) that they have not been making any money on the side; therefore they should not be afraid to make use of this amendment. I should be surprised if the civil servants are not asking the Government to take off their income tax month by month. I shall make enquiries and give the honourable member the information as soon as I get it.

3.35 p.m.

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

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

*Clause 1 was called and passed.*

*Clause 2 was called. It reads as follows:—*

2. Sub-section (2) of section 43A of the Income Tax Act, 1921, is hereby amended by repealing all the words occurring after the words "by the Commissioner" the first time those occur and substituting therefor the following:—

"to the employer—

- (a) with the consent of the employee; or
- (b) in such manner as may be necessary to ensure that the total amount deducted by the employer up to the end of the current financial year shall, after taking into account all payments received by the Commissioner on account of the tax payable by the employee for the year of assessment ending during that financial year, equal the actual amount of such tax.

Any notice so given under the said subsection shall upon its being so varied have effect as so varied."

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

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

Mr. LEWIS: Mr. Chairman, I would like to say here for the benefit of the honourable junior member for Christ Church that I understand this Bill perfectly well. I know it is one for the benefit of employees; but I would like to say that it cannot help the employees unless with the co-operation of

the employers; and I do think the honourable senior member for St. Joseph did interpret me on this matter correctly. However, I still feel that an effort should be made to popularise this Bill among employees, because to a small extent it will benefit them. They will have a certain amount of money in their hands by so doing a little longer than necessary; and as regards the Civil Service it is a case of not paying out the money at all from the Treasury. Government actually collects its income tax from its servants by not paying it out.

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

*On motion of Hon. G. H. ADAMS, seconded by Hon. M. E. COX, Mr. CHAIRMAN reported the passing of the Bill in Committee.*

*Mr. Speaker resumed the Chair and reported accordingly.*

*On separate motions of Hon. G. H. ADAMS, seconded by Hon. M. E. COX in each case the Bill was read a third time and passed.*

### RESOLUTION SANCTIONING THE INCOME TAX (AMENDMENT) REGULATIONS, 1955

Hon. G. H. ADAMS: Mr. Speaker, I am asking leave to take Order No. 13 as the next Order of the Day.

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

Hon. G. H. ADAMS: This Resolution seeks to give legal effect to Regulations made by the Governor-in-Executive Committee in exercise of the powers conferred on it in accordance with section 58 (3) of the Income Tax Act, 1921 (1921—6). The object of these Regulations is to carry out the provisions made in the Bill which we have just passed in connection with the payment of income tax by instalments. I beg to move that the Resolution do now pass.

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

Mr. LEWIS: Mr. Speaker, these amended Regulations are to take out something which should never have been there.

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

Hon. G. H. ADAMS: Mr. Speaker, I propose to ask honourable members to deal next with the Resolution for \$45,660 to purchase land owned by Blue Waters Hotel Company; and for that reason, I am asking leave to take Order No. 1, as the next Order of the Day.

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

### COMMITTEE OF SUPPLY

Hon. G. H. ADAMS: I beg to move that Your Honour do now leave the Chair, and the House go into Committee of Supply.

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

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

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

### Supplementary Estimates 1955-56 No. 5

Hon. G. H. ADAMS: Mr. Chairman, this Resolution is for the sum of \$45,660 to purchase land known as Rockley Beach from the Blue Waters Company which is in liquidation for some time now. I think all honourable members know the spot of land very well. As the Addendum sets it out:

Blue Waters Hotel Company (in liquidation) has offered to the Government the land known as Rockley Beach, 98,358 square feet in area. The division and sale of land have been approved by the General Board of Health. The total appraised value of the land, at 48 cents per square foot, is \$47,211.84. (The Company however has agreed to sell the area for \$45,000. The Government would be required to pay the cost of the conveyance (\$432.00) and the stamp duty (\$227.40). The total cost to Government will thus be \$45,659.40.

It is proposed that the land should be acquired for public benefit. It would not be built upon and would therefore remain available to the public. Rockley Beach is practically the only access to the sea available to the public between Bridgetown and Oistins; it is extensively used, especially on Sundays and Holidays, for bathing and recreation. It is proposed that after the acquisition of the area cubicles should be erected for use by members of the general public under supervision of lifeguards.

I am sorry to say it in his presence, sir, but I must thank the honourable junior member for Christ Church for using his influence over other members of his family or of his commercial connections, to give Government time enough to consider the purchase of this land. It is a fact that they could have sold this land if they had not been willing to give Government time enough to consider the purchase. I think it is only fair to say that because there were many people in the past and there would be no doubt others in the future who think that things of that sort should not be thrown open to the *hoi polloi*. Government has been informed that the price is reasonable; and I now beg to move that this Resolution do now pass.

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

Mr. HAYNES: Mr. Chairman, I am always keen on seeing improvements being carried out in any part of the island; and I fully realise the need for beaches to be used by everybody. I also realise that this beach is used by everybody and perhaps the Government fully realises that too; but what has worried me over this Resolution is the fact that during my life-time I have seen that land twice under sea-water. In other words, when I was a boy the sea used to play right up to the road. [Hon. G. H. ADAMS: A couple of weeks ago too.] For all we know, tomorrow that land might belong to the Government free of cost; I do not know if they have realised that. This is a big lot of money to risk on a matter like this; I am only bringing this matter to the attention of those who have the policy of the Government in hand. Probably they have not realised the vulnerability of this piece of land; after all the owners of Blue Waters Ltd., are only too glad to have this Christmas present! [Laughter] And if the Government are so munificent, why not give more Christmas presents as well. It is a pity that the Government has not examined this matter carefully. I think that other people would give the same advice as I am giving today if they were asked about this land.

The next thing is this: I do not know how this money will be acquired. We are told that everything is in the Five Year Plan and if anything is not there you cannot get it. For instance, the East Coast Road cannot be done because it was not in the Five Year Plan. Of course this is a case of the development of the island, and not only of something for the benefit of a few people. I am perfectly sure that if a Conservative Government were in power tomorrow morning this Resolution would not have seen the light of day; they would be too much afraid of bringing it to the House of Assembly; a Conserva-

tive Government would be torn to threads if they did so. The honourable member said something about access; I see the sea playing in the road all the time and people still have access. I am counselling the Government that they are spending money on a fools paradise; you are not interfering with people by not buying this land; because nobody would be so foolish as to buy it. Everybody who passes that road points a finger at the Accra Beach Club wondering if they will see it when they pass that way again. I am only bringing the matter to the attention of the Government; they will get people who are just as experienced as I am, and who will tell them exactly what I am telling them now. They can take it for what it is worth.

Hon. G. H. ADAMS: There is everything to be said in favour of the criticism of the honourable member, until you examine the position. We have examined and threshed out all that the honourable member said. It is true all over the world that you have to take a risk when you build on the seashore. This island must have been smaller many years ago, I have just come back from Bermuda where the Americans have added acres and acres; I have been shown in Bermuda what had once been absolute sea until the Americans dredged and filled it in. It can be done by man or by the action of nature; it is quite true that all this land might be under water fifty years hence. However I am going to make it clear now that the Government intends as soon as it is appropriate to change the law. As it is now, if the sea recedes whatever land is recovered by the act becomes the property of the man who owns the land adjoining. That is unfair. If the sea recedes and gives a man another area of land, I do not see that he should say that land does not belong to the Crown. We propose to vest in the Crown all land which is made available by the recession of the sea. I think that it is perfectly clear if at one stage the sea recedes, that the land should belong to the Government; if it recedes that land does not belong to the owner of the adjoining area.

3.55 p.m.

If the honourable member feels that the Government might one day find that this land is swallowed up by the sea, I say that he may find too, that the Government has acquired land that the sea has rolled back from. I therefore, feel that the honourable member should not be scared. All that he has said is true; it is true of land in all places in the world where the sea encroaches. It will happen to any site. Our very existence is due to the fact that the sea either came or receded. Mountains either pushed themselves up and created Barbados, or else the sea receded and thus Barbados was created.

Mr. HAYNES: Mr. Chairman, I think the Hon. Premier has made the position worse now; he is buying a part of land which has been acquired by the sea receding. To my mind his putting it that way makes it worse; because then that land would definitely come under the said law that he intends to enact.

That Bill should have come in first and then he should have taken steps to acquire this piece of land. This is nothing that I am making up; thousands of people would probably say what I am saying. I happen to know something about this land. That land belonged to a distant cousin of mine, and he never attached any value to it; he gave the whole property away. This is an absolute point blank fact. He never acknowledged that land; he was expecting that it was there today and away tomorrow.

I am not in any way trying to block the people from using that beach; in fact, I wish there were

more beaches. But I am only pointing out that one of these marvellous seas might get up even now (even in the middle of the night) and wipe that out, probably before the Premier and I have forgotten about this.

Hon. G. H. ADAMS: Mr. Chairman, perhaps I did not make myself clear. I cannot tell—you will have to go back may be a few hundred years more—whether the original owners of Blue Waters land now own this land or not. I have seen conveyances with land marks which are in the sea today. If a man buys five acres of land and he puts down land marks and one day his grand child discovers that he cannot find his land mark because the sea has encroached 100 yards, and if years after the sea recedes, my point is that he should get back no more than the original 100 yards; the opinion of us as honourable members know is, that this land would have been given over again by the sea. Last Saturday morning I saw the sea in Oistins Village in the road and right down to Bay Street Esplanade; that will happen at some time; you cannot help it; but it is unreasonable to say less.

Just as "Accra Beach Club" has taken the gamble and built a substantial building there, there is nothing to prevent the Government from putting up cubicles, and nothing to prevent the barefoot man from bathing on that beach. Nobody could possibly object to the Government saying: we are going to acquire compulsorily a tract of your land that the people should be able to go to the sea. Therefore if we go and say: this is a very popular bathing beach let us buy it, why blame the Government? There is the possibility that some sea may cover it; but I am hoping also that some day the sea may uncover a lot of land. The swings on the roundabouts will balance; that is to say the number of times that an umpire gives you out unfairly will be balanced by the number of times that you ought to have been given out.

Mr. J. C. MOTTLEY: Mr. Chairman, I remember sometime last year discussing this same beach in this Chamber and counselling the Government to see that that beach remained open to the general public for bathing. I do not know if the bit of land was available then, but I think owing to the fact that it has been used by the general public for bathing, whether the sea should come in or not the Government should have bought it. I am not arguing on point the price of it; but I think the Government should acquire it now for the benefit of those people who are now using it. The sea will go out and the sea will come in, but that does not destroy the fact that this beach will be a boon to the people there. The question which arises in this: can it be sold to any other private individual and can that individual debar the public from getting access to the beach? If that can happen I think the Government has need to acquire it now; because although it may be something like the run-a-way land, in years to come you might have to pay double the money for it; so I think the Government should be supported in acquiring this bit of land according to my knowledge of the people's love for the beaches in this day and generation; and I want to give my support to the Government.

I do not know, as I said before, if the price of 2 shillings per square foot is too much; the Government will have to know that. Some 20 years ago I paid \$400 for an acre and today I can get any where around \$1,200 for it; I think I can get more. Anyway, the Government should know whether this price is right or not. I think the Government should

go ahead and buy this bit of land; and with these few remarks I support this Resolution.  
4.05 p.m.

Mr. MILLER: Mr. Chairman, I too am concerned to some extent with this matter. My concern is with regard to the price and the reason why Government should acquire this land. The last paragraph of the Addendum reads as follows:—

"It is proposed that the land should be acquired for public benefit. It would not be built upon and would therefore remain available to the public. Rockley Beach is practically the only access to the sea available to the public between Bridgetown and Oistins, and is extensively used, specially on Sundays and Holidays, for bathing and recreation. It is proposed that after the acquisition of the area cubicles should be erected for use by members of the general public under supervision of lifeguards."

The only reason why this area of land is available is because it is of no use whatsoever; there is no fear whatsoever that any construction will be put on that land. I have checked within that area for foundations with regard to the construction of a building for someone interested. There was an old chattel building there and the owners claimed that for the years and years they had the spot, the sea never came into the yard. The land was to provide an open window to the sea for the Blue Waters Hotel but the company went into liquidation.

I do not think that building sites within that area are sold at the price of 48c. per square foot; and what is more surprising to me is that the Government would have to acquire this land. I cannot see the reason why Government should be anxious to acquire this spot of land; because there is no possibility that any building would be erected thereon to block that area. I really am alarmed at the figure of 48c. per square foot which Government proposes to pay for this land. It is true to say that the company has agreed to sell the area of land for a little less than that price, but at the same time the Government is required to pay the cost of conveyance and stamp duty. It is customary if you are going to purchase land that the seller provide the legal fees. I really am wondering what prompted Government to make a decision of this sort.

I know that Government can well use this land. No doubt the owners have asked the Government to buy the land so as to provide the area with a life-guard; and in all probability, Government will put a couple of floats there for the people who use the beach. However, I do not know why we should acquire something which nobody would be anxious to buy particularly at the price which it is offered.

With regard to what the Hon. Premier said as regards land receding from the ocean coming to the Crown, I do not think that statement should have any bearing whatsoever on this Resolution. This Resolution is a bit unusual but probably Government has given it a lot of consideration. I do think that the owners of this land would have been happy if Government had sought to acquire this land by way of a lease for 100 years. I think the Hon. Premier should have something further to say on this matter.

Another thing which I am wondering about is why Government should have to use compulsion for the purchase of this land. There must be something very vague about it; I am not saying that there is anything underhand or undignified about it. But I cannot see any reason why it could not have been bought by normal agreement and on easy terms. I am wondering whether the Government has taken the best advice with regard to the price of this land. I cannot see the reason why Government should have agreed to purchase this land at such a high price

when land on the other side is sold at a much lower price.

Hon. G. H. ADAMS: If the honourable junior member for St. George had read the Addendum he would never have said what he did. The Blue Waters Hotel Company like any human being, after it went into liquidation, went to the General Board of Health to get permission to cut up and sell the land it held; and this land was appraised in the usual way at 48c. per square foot. The honourable member is suggesting that the Government just agreed to purchase this land at 48c. per square foot. I do not believe what he said as regards land on the opposite side was appraised at less cost than 48c. per square foot. He does not know; I myself do not know what the price is of land on the other side; but I cannot believe that the appraisers of land of The Blue Waters Hotel Company are asking us to pay some fantastic price for this land bordering the sea, when land on the other side is sold at a cheaper price. Again I say I do not know what is the price for land sold on the other side, but the honourable member does not know either. It would be strange to find out that land on the other side is sold at a cheaper price, it would be strange to find out that the price of 48c. per square foot was fixed by the appraisers for the value of the land on the seaside and 36c. per square foot or something less than that for land on the other side. Other people wanted to buy this land. What has happened is that when the selling out of this land came before the Board of Health, the members of the Board could not help themselves; they agreed to it being cut up and sold at the price at which the appraisers fixed.

We of the Government attack every appraisal that comes before the Executive Committee; but until the Public Health Act is changed to say that you can appeal and have three more appraisers, you can do nothing about it. Of course, we have never known of appraisers reducing land value. This was the normal affair where the Blue Waters Company now in liquidation, was applying to the Board of Health for permission to cut up and sell out this land. The Board had no other alternative but to grant permission; but in doing so, wrote the Government hoping that Government would move in the matter and keep the spot as an open space. The Executive Committee went into the matter and said O. K. What I said about possible encroachment of the sea or the sea receding and the land eventually being owned by the Crown arose at the meeting of the Executive.

You may attack the Government as much as you like; but give the Government credit, knowing the kind of critics it has, of making sure of its position before Government comes before the House with anything. I want to assure the honourable member that if Government had allowed this land to be sold and other people had gone there, we would be fired at from all sides of this House. Some member probably would say: "Look at it; the poor black people in that district cannot get down to the sea. Here it is, this Socialist Government had an opportunity of buying this land but the Government did not care twopence for buying this land for the people." It is a fact that after this land was set up for sale and we were asked to consider the purchase of it, that we asked the owners to hold off the sale and to give us a chance to consider buying it, and they agreed.

They agreed provided that their co-directors agreed, and they held it up for a long time pending our decision. Months passed before we gave a definite answer that we would buy it.  
4.15 p.m.

Mr. MILLER: This is the infallibility of the Premier. What I said was that I was taken to the Blue Waters area by a client with the idea of building a house, and the price of the land per square foot was beneath 48 cents. I do not know if the Premier knows the number of houses in the area or

the price at which the land was sold at all. You may apply to the Board of Health to approve of the sale of land for ever and ever Amen, and find that no one is interested in the matter. Merely because the Company has approached the Board of Health does not mean that the price would be granted. Most of the land approved by the Board of Health is sold to-day beneath the appraised value. This is not a criticism of the Government, but the Hon. Premier sees red and talks about generating heat. I do not know if the Premier knows what is going on in this particular matter; I repeat I was taken by a client to this particular land with the idea of building a house and the cost of the land was beneath 48 cents per square foot. He knows that this land will never be sold; I am only saying that this land should have been bought much cheaper. There appears to be a reduction of \$211 but the Government has to pay the cost of the conveyance which is \$432 and the Stamp Duty which is \$227. I want to repeat that because you apply to the Board of Health for approval and sanction to divide and sell land, it does not mean that the land will ever be sold. The Premier knows that nobody would venture to build on this land, otherwise it might have been utilised already; this land is not likely to be sold for building purposes. You cannot erect any steel structure there unless you are providing something like what has been provided at the Aquatic Club. I am not objecting to the purchase of this land; what I am saying is that it could have been bought cheaper. This is a part of my business and I can say something about it; even though it will be regarded as criticism.

Hon. G. H. ADAMS: I have the plan before me. Three spots of land on the hill away from the sea were valued at 36 cents per square foot and all the rest of the land was valued at 48 cents. There were five appraisers who valued this land; the Company agreed to take \$45,000 for this land, but the Government would be required to pay the cost of the conveyance and the Stamp Duty. Nothing unusual whatever has taken place in this matter; I have the plan here and the honourable member can look at it if he wants to do so. When the honourable member says that he went up there with a client, not one single spot on the sea-side is valued at less than 48 cents per square foot. I repeat: in or out of the House, criticise us, but have your facts correct. This is the best thing the Government could have done; that is, to preserve this piece of land for the benefit of the island.

Mr. MILLER: I have had this plan in my hands long before the Premier knew that there was a Plan. The Premier knows what I am talking about; he knows that all the other spots have been sold and there is no concern about the spots on the beach because all of them would have been sold. I can tell you that one of these spots was sold at less than 36 cents a foot; it does not mean that because the land has been appraised at 48 cents a square foot that it will be sold at that price. Some land has been appraised and sold higher than the appraised value; on the other hand land which was appraised at 48 cents a square foot would probably be sold cheaper.

Mr. LEWIS: I am going to make a few comments on this matter. I will give a history of the matter when it came before the Board of Health. Some members of the Board wanted to separate the area on the land-side from that on the sea-side and give permission to sell them. They were very doubtful whether their officers could say that this sea-side land was safe for building. I think they asked the representative of the liquidator whether he would accept that and he said he could not; he said he would have to see the liquidator. The whole matter

was postponed for the Government to consider it; and when the matter came before the Board again I was not there, so I do not know how anything of the matter then. I do not think that the third and fourth lines of this Addendum should weigh much with the honourable member; the fact that this is approved by the Board of Health means nothing. If the Government is considering the matter they have the right to hold it up and not to appoint appraisers so that the matter could not be completed. The ownership of this land has alternated between the legal owners and the Government. The honourable member when he was a boy might have passed up there in a motor car, but I have gone up there in the tram-car and found the sea rushing between the tram and the mule. This is a difficult question because I do not know if building on this land would improve the value of the land behind it; I do not know whether the Blue Waters Liquidator would really sell it for building purposes.

4.25 p.m.

As an open spot it certainly makes the land there very attractive on the sea-side of the road; but if you were to build on it, I do not know what would happen; it might be a case of these people still leaving it as an open spot. I cannot understand this matter of the Queen owning up to high water mark and somebody else owning land from behind high water mark. Could the Queen not own a right of way to the sea? This is merely a right of way; the land that you will buy will go down to the sea but nobody will be able to go below that, because you will be going behind the land of the other owners up there. This looks like a precedent: not having a right of way. If the Blue Waters Company were to start building on that land, it is going to depreciate the land behind it; because even then the people would not get a right of way to the sea.

As far as the honourable junior member for St. George is concerned, I did not know that anybody could sell above the appraised value. I thought the appraised value would be the maximum; I have always understood that you could sell below it but not above it. I feel that probably if the Government did not get the impression that the Board of Health wanted them to buy this land, they might have been able to lease it at a peppercorn rent or they might have negotiated and bought it, (if they bought it at all) at a very small price; because it is in favour of the owners of houses on the other side of the road to have a window. People on the Worthing Coast have gone and built almost in the sea, and there is now actually no access to the sea. We appear not to have any restrictions to allowing people to go and build in the sea; but I am wondering when the sea was beating at Rockley and in the road, whether the Government could not have decided then to build there; it would have been a very interesting point. If somebody has land and it is washed away I hope the Government does not undertake to give them back; that is merely speculation on my part, however.

I am sure, Mr. Chairman, that it might have done some good if this matter had been given some publicity. I must say that I agree with the junior member for St. Andrew; I should like to-day to see a Conservative Government with this Resolution in here and the Ministers of this Government sitting in opposition. I am sure they would run out of the House.

It is only a right of way to the sea that you can buy. I hope that it would not be a hackney; that would ruin the whole site. I feel that the Government might have made other arrangements if they had got the impression that the beach was available, and take steps to secure this as an open spot. That was the expression of opinion that I heard; not to go

and buy it and have it appraised with other building sites; and it might have been sold very cheap. I have known the Government to have refused buying a piece of land in Broad Street to widen Broad Street; and a similar thing might have happened to this. The Police have discovered that it is in their own interest to have this part of Broad Street widened.

Other people have built right on that land but it was a place where before you could not think of. I know these buildings. At least "Accra" house has probably had to be buttressed in my life time because of the sea all around it. I remember when the Ecksteins owned that house. I have seen the sea lashing all round it. The little one that was next to it had to be built up very high.

There are a whole lot of considerations to it but I am sorry that the Government did not hold up the appraisalment of this and let the Board of Health know what they were obtaining or left this part of the Plan for their consideration. The Public Health Authorities of this island were not sure whether the Board of Health were able to approve this land for the purpose of anybody living on it. I hope the Government is not letting itself in for a precedent. Perhaps only a right of way to this beach is all that is necessary, and perhaps some bathing cubicles on the other side of the road.

4.35 p.m.

Hon. G. H. ADAMS: The hon. member is not saying that it is wrong; he is speaking only with the knowledge that he has. It is clear that the Board of Health asked us to buy this land.

In the Minutes which the Board of Health have recorded of the meeting held on the 7th November, 1954 at which the Minutes of the 8th September were read and confirmed, there was correspondence and then the meeting went on to deal with certain matters.

The Orders of the Day of that meeting by the Board of Health consisted of correspondence: a letter relative to the *Aedes aegypti* mosquito and another from the Hon. Minister of Social Services. The Board then gave consideration to land to be sold belonging to J. A. Haynes and then they went on to the land concerning the Blue Waters Hotel Company. This is what that Board had to say about it: "The Board resumed consideration of the application. Because of the problem of the beach land an assurance was given the Board that Government would be given every opportunity to acquire all or part of the beach land. In order to negotiate the sale of the land a certificate of the Board was a prerequisite. The question of the suitability of the land for people was raised and it was felt that the Government should be encouraged to acquire and keep the site as an open space. The Board approved of the plan and the Clerk was instructed to inform the Government that it was the view of the Board that the site should be acquired by the Government and retained as an open space". In accordance with that, a letter was sent to the Government.

Sir, what else could we do? We agreed that we should acquire it. Undoubtedly, the Minister of Social Services will in the course of time get in touch with the Civic Circle to beautify it. I visualise that about one hundred properly designed bathing cubicles which would not offend the site would be put there and we would be able to get some revenue from them.

Mr. LEWIS: Mr. Chairman, I would like the hon. member to refer to the Minutes of the Meeting again and tell this Committee if I were present at the meeting.

Hon. G. H. ADAMS: The Minutes do not say. Probably he was not present as he has said.

Mr. ALLDER: Mr. Chairman, I think we are doing a great wrong. This is not the first time in the history of governments that certain governments extort money from the public, including the poor, by way of taxation and dump in lump sums back into the hands of the rich. And, as a matter of fact, it is always done under the guise that the poor people need this and that. It is under those terms that these practices are carried out, because the mentioning of the name of the poor justifies the doer in such wrong.

Sir, it is very disturbing to see today that we are handling a Resolution of this sort for the acquirement of unused land on which nothing can be constructed and for a sum as large as \$45,660, and for the purpose intended. Speaking for myself, the Resolution which I now hold in my hands, was received by me yesterday afternoon; I am sure that there are other things more beneficial to the public and which have been on the Order Paper of this House for weeks (I daresay months) and nothing has been done about them. I can even go further and say that while overnight we are called upon to decide an issue like this, it is now eighteen months that this same Government which should be thinking in terms of relieving the poor and miserable people, has been in negotiations for the acquirement of land in St. John at a considerably cheaper price than this, and for the purpose of making it convenient for the people who have been asked to move off an old tenantry to move on that land; and up to this date the negotiations have not been completed.

I am speaking from correct information when I say that it is the fault of Government that after eighteen months that the land has not been acquired to relieve the body of those workers. The Hon. Minister of Housing knows the land of which I make mention because the Housing Board had much to do with the selection of it. I can tell this Committee, Mr. Chairman, that Mr. Chandler who is guardian of the estate—

Mr. CHAIRMAN: Is he the guardian of this same land in question?

Mr. ALLDER: Sir, I am trying to point out to this Committee that we are trying to acquire this beach land and that negotiations were going on ever since to buy estate land for certain people who were forced to move their houses from land in St. John.

Mr. CHAIRMAN: I am not allowing the honourable member to go so far apart as land in St. John. We are dealing with land in Christ Church.

Mr. ALLDER: The guardian of that land in St. John claims that he does not know why negotiations to buy it have been held up so long because he has already agreed to the sale; the delay is not his, but it is obviously that of the Government. I was trying to make the comparison between the delay in that matter and the haste in this.

As I was saying, I only received my copy of this Resolution yesterday afternoon. It has not been on the Order Paper for any length of time. I am sure that the reason why there is such a small attendance of honourable members is because honourable members hardly thought that this Resolution would have been handled today. It is true to say that the honourable junior member for St. Andrew did make certain important points on it; that honourable member can be considered as one of the largest land owners in this colony and he has a lot of knowledge in transactions as regards the selling of land, both small and great. The honourable member who is considered to be a Conservative,

warned the Government of the danger of the spending of this large amount of money on this land which is of little value.

4.45 p.m.

Certainly honourable members' statements should be taken into consideration. This is a Legislative Assembly, based not on the arbitrary decision of any individual member whether he is the Premier or a backbencher, but on the decision arrived at by an impartial investigation of any matters on which we may have to decide in this Chamber. I do not think that we should disregard the remarks of the hon. junior member for St. George who is also a member of the Government's Bench, and who also knows something about the valuation of land and building construction. Nor can a Committee such as this, if it has any morals attached to its behaviour, disregard the statement of the hon. junior member for the City who is also a member of the General Board of Health, which body has to give authority for the sale of the land. It is more than surprising to me, Mr. Chairman, that the honourable senior member for St. Joseph is going to use the statement of a subsidiary body like the General Board of Health to justify the passing of a Resolution such as this. I would really like to know how long has such bodies been able to influence the politics and policies of the honourable senior member for St. Joseph and his Government. The honourable member has read out a statement suggesting to us that the General Board of Health has recommended the acquisition of this tract of land; how long has it become the honourable member to bow to the dictates or suggestions of bodies such as the Board of Health? But the honourable member does these things when it suits him; it suits him now to quote the Board of Health, but at another time higher authorities than the Board of Health even if they are right, cannot make a dent in the political armour of the honourable senior member for St. Joseph. What is more, no Board of Health could tell the Government what to do unless the Government likes something like that; even if they were so short-sighted as to tell the Government what to do, the Government would ignore them; the Government would tell them that they should mind their business.

But Mr. Chairman, quotations have been made to the same Government in respect of ten acres of land which would only have cost \$24,000 and which would house 40 families if you cut it up in quarter acre lots. In connection with the housing congestion which we have today, I will say this: I have had to make out a form for a labourer and he called out 13 names of persons who live in the same small house. Mr. Chairman, you can well see how many peoples' lives would have been made easier if the Government had decided to spend this \$24,000 over the past 18 months when such negotiations were going on. What is more there would have been no loss, because the sea does not reach so far. It is a question of the stability of land of which I am speaking. The island would have to be submerged if the stability of this land were to be removed. But what is more, comparatively young men as we are, I have seen only a year or two ago that the large tree at the bottom of Skeete Hill and which stands at the bottom of this land has been partly uprooted by the high tides of the sea. It is definitely an insecure investment in which the Government is indulging in this matter; but who can stop the Government from doing such wrongs? If the Government does this and they want to get back that revenue they will say to the hawkers and hucksters and carters that they must pay 50 per cent or so more

on their licences, and the liquor licence holders will also have to pay a little more on their licence. There will be an extortion of revenues from the people and a dumping back of it into the pockets of the rich, to use the humblest language I have at my command.

I am sure that the honourable member who leads the Government is not that stupid or ignorant of the transactions of business as to take \$45,000 and throw it away up there. As the honourable junior member for St. Andrew has said, this is giving to the owners of that land a Christmas gift; and the members of the Government whose words are sweet in the catching of votes can make promises as if the Utopia will be brought about on the next day to the miserable human beings from whom they ask such votes. All they have to do is to get this money and pass it back on. You have a mark-up on Customs Duties, but the Conservatives never did that; they want a lot of money to spend not on the needy but to satisfy their ambitions and to patronise their masters by giving to them through legislation what they failed to give themselves when they were in power. But of course, Mr. Chairman, one of the wealthiest men in the colony who would expect that land to be sold at £1,000 per square foot because he has a monopoly on it, is telling you that this is wrong; he is telling you that they are only throwing away money.

4.55 p.m.

He has told you that a relative of his owned that land and that he actually gave it away because he thought that the land did not possess any value, owing to the annual encouragement of the sea. I know a friend of mine who has a large building in the Worthing area not far from there and he has had to spend a fortune on it. They are some friends too of the junior member for St. Joseph who have had to spend fortunes for the last two years to protect the investments which they have from the sea.

Here it is, I am sure (considering the exclusiveness of that area) that if this land was really worth something, they would prevent these people from selling it to the Government where the unwashed and unwanted would be unable to go near the exclusive guests of the "Accra Beach Club" and the "Rockley Club" and the well-to-do up in "Blue Waters" who make use of that beach. But it is a matter, Mr. Chairman, of going away from your social snobbishness and getting a couple of thousand pounds free. People whom I know to have been able to own that land have residences on the other side of the road; but because of the kind of Government which we have, in order to influence Government, all you have got to do is to contact the almighty part of the Government and convince them by any means that it is a proper investment for the Government, and the land is acquired; even although you will get hon. members forgetting their manhood and their womanhood, forgetting their obligations to the various districts which have polled votes for them, and saying "yes" if they have to say "yes," and hoping that it will go through without their having to say yes or no; a matter which must result in an evil oppression on the same people to whom we are going, I hope, within a short time from now to ask for votes. That is the kind of politics we have—politics without morals. The evil times when we were smitten instantaneously by the Great Almighty God seem to have passed, and we are left at the mercies of the law which says "the survival of the fittest." Sometimes you put on a shoe with a couple of nails in it, but it takes sometime Mr. Chairman before you can get it back off; even though you try to get it off with greater haste than

that with which you had put it on. I am saying again that if the owners of that land knew that this land had worth while value from the point of view of construction, the Government could not have got it at all. What you are going to create now is a social problem in the area.

While it might be lawful to all and sundry to go and have a bath or recreation on that beach the well-to do are scattered all over the same beach; not that I do not prefer to have places that are exclusive; but I would avoid a clash: a clash of race wherever possible. While you say that you are providing an amenity for the people in that area you are also going to create social confusion; I say that because one can see that the proprietors of the "Accra Beach Club" are not going to be satisfied when their guests both local and overseas assemble on that beach, and coloured people whose money has bought the area assemble there to have a bath too. That is where the social confusion is going to be created.

Another thing, Mr. Chairman, it was about five years ago that I initiated an Address in this Chamber to acquire some of the coast-land at St. James for the accommodation of those people who were shot at by the Americans and English through going to the beach to have a bath. Although the Address passed this Chamber and the honourable senior member for St. Joseph said that he was in agreement then, up to now, Mr. Chairman, the land has not been permitted to be sold; but the poor people down there in St. James still have to run and carry a fowl to the wealthy owners of such properties if they want to slip through there to get to the beach.

Up to now some of these gentlemen are still brandishing guns. You hear talk about the finance of those people in that area; you know what the finance will cost the taxpayer? £45,000.

There are several alternatives which the Government could have adopted. If the Government felt that the public should have been able to pass over that land they could have arranged as the honourable junior member for St. George has said, to lease the area from the owners on a long or short lease.

5.05 p.m.

No money would be dumped if you would lease that land.

Another thing which the Government could have done instead of negotiating for the purchase of the two acres of land, would have been to arrange for part of that area to be bought by the Government. Inasmuch as the water's edge on any beach belongs to the public then all the Government need to do was to acquire just as much as the public could pass over to go down to the beach. It does give rise to some concern because all of these alternative actions Government could have accepted.

I beg to draw, Mr. Chairman, to your attention that there is no quorum.

(A pause) (Mr. Haynes entered the Committee and took his seat.)

As I was saying, sir, there were several other alternatives which Government could have adopted by which the public would have been well provided for in that area.

Now, as regards the price of that land, I heard the honourable senior member for St. Joseph and the honourable junior member for St. George exchanging words on the authenticity of the price of land in the area of Blue Waters and on the beach nearby. I know that land in the Navy Gardens, the Marine Gardens and also Blue Waters has been sold for less than two shillings per square foot. Some spots of land in those areas were sold for as low as thirty cents per square foot; and I am talking of solid good land. Mr. Chairman, I am sure you can go up there now and succeed in getting people to sell you land for thirty-six cents per square foot. However, it does not mean if the honourable senior member for St. Joseph is correct that because land on the land side of that area was sold at two shillings per square foot that this land on the beach side is worth two shillings per square foot too. If this land was worth two shillings per square foot or the same price as the land on the other side, the Government could not have acquired it owing to the desirability of the people in that area to accommodate the tourist trade. Even the owners of the Accra Beach Club would have made some attempt to acquire that land instead of allowing other people who might probably drive away some of their trade to come in. They would have tried to acquire it to circumvent the social mixture which is anticipated to take place on that beach. I am really sure that if one were to question the owners of the Accra Beach Club and the Rockley Beach Club, they would tell you that they are vexed about this land being sold to Government, knowing as they do what is proposed to be done with that land. Of course, I am not saying that I want to encourage snobbishness; I am definitely against it.

At another time, Government would have been saying that because of our desirability to facilitate the tourist trade, we feel it advisable not to acquire this land for the purpose intended. If Government wants to do all of this now as regards making it possible for people to get to the sea there with ease and to have some measure of recreation, why is it that they took so many years before they extended any kind of reasonable facilities at Gravesend Beach?

Mr. Chairman, it seems to be the feeling of the Committee that we should adjourn, so I beg to move that you do now report progress and ask for leave to sit again.

Mr. LEWIS: I beg to second that.

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

Mr. Chairman reported to Mr. Deputy Speaker who assumed the Chair and reported accordingly.

## THE ADJOURNMENT

Hon. M. E. COX: Mr. Deputy Speaker, I beg to move that this House do now adjourn until Thursday, 26th May, 1955, at 3 o'clock p.m.

Mr. ALLDER: I beg to second that.

*The question was put and resolved in the affirmative without division and Mr. Deputy Speaker adjourned the House accordingly.*  
5.15 p.m.