THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1956

HOUSE OF ASSEMBLY.

Tuesday, 5th June, 1956.

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

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 Mr. A. E. S. LEWIS (*Deputy Speaker*); Hon. M. E. COX, (*Minister of Communications, Works and Housing*); Mr. L. E. SMITH, J.P., (*Chairman of Committees*); Hon. R. G. MAPP (*Minister of Trade, Industry and Labour*): Mr. E. St. A. HOLDER, Mr. V. B. VAUGHAN, and Mr. J. C. TUDOR, M.A.

Prayers were read.

Mr. MILLER and Mr. HAYNES entered the House and took their seats.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the last meeting are not yet ready for circulation.

PRIVATE MEMBERS' NOTICE

Mr. TUDOR: Mr. Speaker, I beg to give notice of the following Address to His Excellency the Governor:—

The House of Assembly
To
His Excellency the Governor

The House of Assembly has the honour to inform Your Excellency of the proposed intention of the Roberts Manufacturing Company, a concern operating under the Trade Laws of Barbados, to import and to install a Mazzoni Soap Plant, costing near $100,000 B.W.I., arriving from Italy through Peru.

2. The House understands that the effect of this installation will be to diminish the demand for labour by 50%, Electricity by 30% and the Costs of Production by 40%.

3. The House is firmly of the opinion that all workers likely to be dismissed as redundant should be fully compensated, and that the price of soap to the consumer be commensurately diminished.

4. The House respectfully requests Your Excellency to take all the steps necessary to protect the interests of these workers and the consumers alike.

Hon. G. H. ADAMS: Mr. Speaker, I am asking your indulgence to make a statement arising out of the Address which was just given notice of by the hon. junior member for St. Lucy I have already said in this House that we have Ministerial System of Government and Addresses to the Governor should be like Addresses to the Queen: and matters effecting a particular Ministerial Office should be put in the form either of a Question to the Ministry or raised in some other way to the Minister concerned. The Governor of this colony can hardly take any notice of an Address of that sort which really concerns the Minister of Trade, Industry and Labour.

I make no hesitation in saying that I shall advise His Excellency to take no notice of this Address. I do hope hon. members will see that nobody has any intention of restraining any hon. member of his undoubted right. I am just making an appeal to the hon. member to withdraw this method of putting that Address and put all he wants to put to the appropriate Minister and he can do so on the floor of the House (if he likes to do so) whether by way of question or any other manner.

I repeat for every body's benefit, nobody is so silly as to want to stifle what is the undoubted right of members, especially members of the Opposition; but I do hope that all hon. members in future will follow the practice where there is a matter concerning the State of addressing the Governor, and where it is not a matter concerning the State, of addressing the Minister concerned or bringing it to the notice of the Minister.

Mr. LEWIS: Do I understand the Hon. Premier to mean that an hon. member having a grievance of this nature should put it either in the form of a communication to the Minister, in the form of a question through the House, move the adjournment of the House, or what? If the Hon. Minister would say what procedure he would have us adopt I may agree with it.

Hon. G. H. ADAMS: I may say that some of the matters which are brought by way of Addresses are more suitable by way of Questions. Some will be more suitably put if they were done by giving notice to the House by way of a substantive motion or if they were drawn to the attention of the Minister. Let me repeat that in these days you do not address the Queen asking about the construction of some canal. May be, now that we are revising the Rules of the House it would be a good opportunity of letting hon. members know what is the appropriate

method of bringing a particular matter to the notice of the House.
3.25 pm.

OFFICERS OF THE HOUSE

Mr. SPEAKER: Before the business of the House begins, there is a matter which I would like to draw to the attention of hon. members and it is this: for some time now I have been observing that hon. members have on occasions made reference to a number of Officers of the House, and in my opinion I consider it to be indecorus; and of course, it puts the Officers of the House in an invidious position to hear charges brought against them in the House with strangers present. I think if in the opinion of hon. members of this House conduct of an Officer needs examination, a motion should be made for a special Committee to examine the Officer or that the House should be cleared of strangers while that Officer of the House is under review or being censured. I think I would counsel hon. members to desist from that practice. I refer to allegations being made against the Secretary-Librarian and more recently against the Marshal. I think both Officers have been subject to allegations which I do not know if it has been the intention of the hon. members who made them to have them established; and I think it is very, very unfair to an Officer of the House and one who has served the House for hon. members to make accusations against his conduct of which he cannot defend himself and—which is worse—in the presence of strangers. I will have to say something more on this at some other time.

BILL TO AMEND JURORS' ACT

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, in respect to Orders Nos. 1, and 2, I want to say that they were only circulated two days ago, and I presume hon. members would not be prepared to go on with them today, but on next Tuesday and they will read as they stand now. I am also asking that Orders Nos. 3, 4, and 5 be postponed and that Order No. 6, be taken as the first Order of the Day.

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

Mr. SPEAKER: The first Order of the Day stands in the name of the Hon. Premier, Second reading of a Bill to amend the Jurors' Act, 1891.

Hon. G. H. ADAMS: Mr. Speaker, I am sorry the hon. senior member for St. Lucy is not in his place because this is a Bill that has been dear to his heart for many a long year. It is a Bill which is seeking an amendment to the old Jurors' Act of 1891 which allows the Governor-in-Executive Committee to fix the rates of remuneration and allowances for Jurors and in as much as these rates were fixed sixty odd years ago, it is obviously overdue in respect of an amendment. Under Section five of that Act, 1891, the rate of remuneration of Jury Service is fixed at $1.54 a day. It is an under-statement to say that Government is satisfied that it is no longer a reasonable contribution. It is therefore proposed to increase the remuneration to jurors to help defray the loss of earnings and to provide for the payment of travelling allowance. It is the intention of Government as soon as the Act is amended to make Regulations to increase the rate to $3 and the Regulations will also provide for the payment of actual and necessary travelling expenses reasonably incurred by Jurors who reside more than two miles from Bridgetown up to a maximum of sixty cents per day. Hon. members will see that Government is going to be very generous under the amendment to the Jurors Act. Of course, I think it is only right to draw to the attention of the public that it is not exactly the consciousness of the responsibility which employers hold not to penalise Jurors, that is to say, if a Juryman is a weekly wage earner he should get his full week's pay. If he is a daily employee or is employed otherwise and has to attend Court he should be paid That is a counsel of perfection to a number of employees of this island and too much to hope for that all employers of jurymen when faced with the fact that he has to leave employment will be willing to pay him. This is unlike the old days when you sat there or were hanging about in the Court Yard until called upon; these days may be modified, because if a case is likely to last two or three days, it is possible for the Chief Justice to tell jurors that they need not return until such and such a day. You start a murder case on Wednesday and you know it is not going to finish until the Friday and you therefore tell the waiting jurors that they need not come back until the Monday, so there is some let up on the length of time during which a juryman needs leave his job. Even if employers, from a sense of civic duty, were to pay a juryman who is an employee of that person, this would not cover the cost of shopkeepers who employ themselves: and therefore, some provision would have to be made for the loss of time during which these jurors might be absent from their work. I am going to say, because whether I do right or wrong I am going to be abused by some people and I am going to say it, (although it will encourage some people to repeat abuse), that a juryman should be a man who is a citizen and should not look for payment. I am sorry the hon. senior member for St. Lucy is not in his place because he would certainly make a reply to that. As we are not living in a world of perfection, we have to say that the average juryman would not look upon it as a civic duty, but would look, on the other side of the picture, at the fact that he is losing work, losing time and has to travel and buy meals in Bridgetown which would cost him more than if he had eaten at home.

The Government therefore considers that in all the circumstances, we should increase the daily rate of pay of jurymen and also give them a reasonable travelling allowance. I now beg to move that this Bill be now read a second time.
3.35 p.m.

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

Mr. ALLDER: Mr. Speaker, it is very heartening to see that the Government has stated its policy, especially by the Hon. Premier, in respect of the payment of jurors. We can all remember very easily the previous statements made by him, which suggested that these jurors should regard it as an honour for citizens to sit in judgement on their equals. At that time, the Hon. Premier disregarded the inconvenience which was caused to these jurors; many of them were daily-paid employees, many of them were small wage-earners, who could not afford to give up their daily earning even to perform the honourable task of sitting in judgement on their equals. It is good to see that the Government has developed a change of heart, and it has realised that although this service rendered by jurors is a service which we all owe to the community, yet some of us are not quite capable of bearing it.

Many of these jurors have criticised the fact that they have to travel from the country to Bridgetown, and on some days, they cannot get back to their homes; they are therefore short of their day's earnings and so on A lot of agitation went on before the Government eventually decided that these jurors

should be more reasonably compensated. However, I wish to say that we have reached a stage at which whereas every individual heretofore who rendered any service to the Colony, used to deem that service honourable, today everybody is demanding compensation, and I feel that the juror is no less a person than any other person who claims payment for what he has to do for the community. I feel that a juror should be compensated more handsomely than the provision which is made in this Bill. Personally, I do not think that this amount of $3.00 a day is sufficient, although it might be 100% increase or thereabouts, on what it was before. Today, with the high cost of living, with the increase in transport costs along with the difficulties of coming to and from the Court when jurors are summoned, the position is that many of them have got to look for other means of transport which costs them more. When these jurors have to get their lunch in Bridgetown, even the cost of lunch has gone up, and I think it is asking too much of these jurors to sacrifice their time for $3.00 a day. I think that the minimum payment should be at least [Hon. R. G. MAPP: Five dollars a day], $5.00 a day. [*Laughter*].

The reason why I think so, is this: you have Medical Practitioners employed by the Government —they are usually at the General Hospital—and when somebody gets a cut and the case goes to the Court, a Medical Practitioner is asked to say: "Yes, I attended that man at the Casualty and I put a stitch or two in his head." [MEMBERS: How much does he get?] The case is not called until it is convenient for the Medical Practitioner to go to the Court and therefore he goes there at his convenience. I think he is paid a guinea. I shall not be surprised if his fee is increased to two guineas because that is the idea which is going around. I would bet that inasmuch as jurors are getting something more, Medical Practitioners who have to give evidence in Court are going to expect to get an increase in their remuneration too.

It is a fact that a juryman has to leave wherever he lives—it might be St. Lucy, St. Philip, St. Andrew or elsewhere—and he has to get to the Court at a proper time or otherwise he may be fined. Then he does not know at what time the particular case in which he may be engaged may be called, and you see jurors knocking around. If you have arrived at the principle that these jurors should be compensated, then I say that they should be given reasonable compensation. I do not think that a guinea a day would be too much for them; they are much inconvenienced when they are asked to sit in judgement on their equals. I am glad to see that after a long period of agitation, especially by the hon. senior member for St. Lucy and others, this Government has seen fit to give the jurors a little more remuneration. I can only hope that not very long from now, the heart of the Government will be changed, and they will give a further increase to these jurors which will bring the amount up to a guinea a day.

Mr. SMITH: Mr. Speaker, I am very glad to see that the Government has seen fit to increase the amount paid to these jurors. The Hon. Premier is still of the same frame of mind that a juror should not be paid. I agree with him up to a point because I have heard that session after session you can see a particular type of juror alway engaged in certain cases. One of the things which I have never liked—I do not know anything about the law—is that Counsel have the right to choose their particular jury. There are some "ends" of lawyers, as I would call them, who solely depend upon that type of jurors to bring home their cases. I feel that the time has come when a juror should have some kind of knowledge of the law and not depend upon a lawyer shouting the Court House down, barking at the witnesses and trying to frighten them, and then the particular jury will give the lawyer the case.

3.45 p.m.

I feel that since Government has seen fit now to increase the pay of jurors that Government should also see fit to increase the time that it is going to allow them to sit while having the destiny of a particular prisoner in their hands. I feel that a particular juror has no right to sit more than at one Session in a year. You should have your roster in such a way that a juror should be allowed to sit only once in a year's Session. I, too, feel a little bit scared of seeing some jurors appearing at every Session and sitting as a juror on particular cases. I feel that instead of the Government thinking of the money that they should think of the type of jurors they select because I hear and know what can happen and what has happened. I may say that the Hon. Premier knows it too but he will not put it as I put it. I want to say that you should not allow that particular type of fellow who can be bribed to sit as a juror. Of course, the only way that you will ever get what I will call a nice type of juror is by way of what the Hon. Premier would like to see happen, that is not to pay them at all; but if you want an honest man to give of his best, do not expect him to come and perform the duties of a juror for nothing. I agree with the argument of the hon. senior member for St. John that you should pay jurors a nice pay so that you can attract a particular person with the qualifications necessary to sit as a juror.

I repeat that it is a dangerous thing of allowing a barrister to choose the jurors to sit on a case in which he is appearing. I do not like it. I do not know if the law can be amended to prevent that but I am very much afraid of it because I know what can happen and has happened. I hope the Government will see fit to do something about it.

Mr. LEWIS: Mr. Speaker, I take it that the remuneration paid to jurors is written in the Act and the Governor-in-Executive Committee now wants to make regulations to prescribe the fees that are to be paid them. The particular criticism which I want to make (and I do hope that the Hon. Premier will listen) is that while I am not against regulations being made for the purpose, I think that when regulations are made for taking fees out of the Treasury that they should be approved by the House. I mean a positive approval, not an approval by default.

Reading the proviso, I cannot find the method of reckoning the 40 days. I think something has been left out. The proviso reads as follows:

"Provided that in reckoning any such period of 40 days no account shall be taken of any time during which the Legislature is dissolved or prorogued or during which either House of the Legislature is adjourned for more than seven days."

I am sorry, Sir, I did not see on my first reading of it the adjournment for the seven days. I thought that came first.

However, Sir, I am wondering if the Hon. Premier will let the House approve of these Regulations first. As I have said, I feel the House should approve of regulations that create a charge on the Treasury.

Hon. G. H. ADAMS: Mr. Speaker, surely this House has the chance of throwing out regulations if they do not agree with them. Look at Section 2 of this Bill. It says that Section 5 of the principal Act is hereby repealed and replaced by the following Section:—

5. (1) Subject to the provisions of this section every juror summoned and attending at court in accordance with the provisions of this Act shall be entitled to such remuneration and allowances as

may be prescribed by regulations made by the Governor-in-Executive Committee.

(2) No juror shall be entitled to any remuneration or allowance for attendance on any day in respect of which he was notified that his attendance was not required, either —

(a) by an announcement made no later than the previous day in open court by the Court or Registrar; or

(b) by written notice by the Provost Marshal served personally on him or left at his last known place of abode not later than the previous day.

(3) Regulations made under this section may prescribe the conditions under which jurors shall be entitled to payment of remuneration or allowances and the manner in which payments shall be certified and made.

Then it says:—

(4) All regulations made under this section shall be laid before both Houses of the Legislature as soon as may be after they are made and if in the period of forty days beginning with the day on which such regulations are so laid before it either House of the Legislature resolves that the regulations be annulled, they shall thenceforth be void but without prejudice to the validity of anything previously done thereunder or to the making of new regulations:

"Provided that in reckoning any such period of forty days no account shall be taken of any time during which the Legislature is dissolved or prorogued or during which either House of the Legislature is adjourned for more than seven days.

In one of the Regulations will be inserted the amount of $3 which the Governor-in-Executive Committee proposes to pay. If the House thinks that $3 is too small or too big, it can chuck out all the Regulations and then we will have to make fresh Regulations. I repeat the sum which we propose to pay jurors will be put into the Regulations and the House may say "I think it is too much or too little."

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. Dr. H. G. H. CUMMINS, 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.*

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

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

Mr. LEWIS: In reading sub-section 2 (b) I see "by written notice by the Provost Marshal served personally on him or left at his last known place of abode not later than the previous day." What I want to know is if you are serving this notice personally, not later than the day before applies to that too. What I mean is I do not like a personal notice being served on the same morning.

3.55 p.m.

Hon. G. H. ADAMS: If he is told either by the Chief Justice, or he may be there listening, or if a written notice signed by the Provost Marshal is served on him on a Thursday informing him not to come back on the Friday he does not get paid for the Friday; and while I am on my feet—I do not know whether I am in order—I should perhaps reply to my colleague. For the benefit of hon. members of the House the system whereby jurors are chosen is to take the alphabetical list from which you choose 48. I do not know whether fewer names are chosen from "S". There may be only one "Z", and if you brought in "Z", Zephirin would always be in. You take two "As", two "Bs", two "Cs' and so on, and then those names are not taken again until all the names in "A", "B" and "C' etc. are exhausted, so I do not see how certain jurors can be selected so often; unless, human nature being what it is, somebody runs around to the Registrar and says "I have a good friend who helped me in the last elections and I would like him to be on this time" and the Registrar puts him on That would be something improper on the part of the Member of the House and the Registrar. I have mentioned it because I have heard it but it may not necessarily be true. I do not see how many can get on too often except in the case of "X" or "Z", but now that it has been raised, I shall make enquiries from the Registrar. The Registrar has to prepare a list of everybody eligible for jury service which is in fact every registered voter barring women, but we can make the experiment of putting women on. What the hon. junior member for St. Joseph has said is only in a negative way. The barrister cannot choose his jurors except by collusion, or by challenging, to keep off people whom he does not want on, and sometimes it is very useful because sometimes he might hear someone say he is going to convict a person if he is one of the jurymen. That is a point that should be followed up because it comes to this, that a man is looking upon jury service as a means of professional livelihood; but I say you can see the complications when you have to choose from "S" or whatever the next most used letter of the alphabet—"J"—Jones, I am not sure. One can see if the Registrar is not careful with a short list, a list in which some letters of the alphabet only carry a few people, a person may be a juror at this assizes and at the following assizes. I used to have people approach me in my own active legal days complaining that they were not on the jury for quite a long time; "I was a juror year before last and not since then, can you do anything for me?" Then I had to explain what I explained to the House. It may be that the Registrar did not get back to his portion of the list. He chooses two "S's" for the March Assizes and the next two in July and so on until he gets to the bottom of that lot and then start from the top again. I am glad Your Honour raised it because I am sure it is a point that should be explained to the House.

Mr. BARROW: Mr. Chairman, I understood the hon. member to say that the Registrar is the person who keeps the list of jurymen. I am sure it is not a slip on his part because he reiterated on several occasions, but if he looks at the Jurors Act, and from his experience in the Courts—he may be a bit rusty although he would probably like to say he is not as blunt as I am — he should know that the only time the Registrar has anything to do with the list is when you strike a special jury, that is, when you have 48 names and you have to strike off 24. The procedure is that the Parochial Treasurer prepares a jury list. He then submits it to the Police Magistrate of the district for any objection to be taken to the list and after that the list is deposited with the Provost Marshal of the Island and it is the duty of the Provost Marshal to summon jurymen for the Court of Grand Sessions and for any other case. Only in these civil cases in which a special jury is going to be struck does the Registrar come into the picture at all. I just wanted to remind him of that, because he may have given the wrong impression since it is purported to be an answer to a question put by the hon. junior member for the City.

Mr. Chairman, under the question of Clause 2, I am glad to see that you, Sir, now approve of the

payment of higher remuneration to jurymen, because it was not so long ago in this very Chamber that I think Your Honour was in favour of abolishing the jury altogether. Perhaps, the two things do not stand on the same feet, that you want to see them better paid to get a better quality, but you still feel that it should be abolished. I would not like to anticipate legislation but I believe in the new judicature, because there will be few civil cases in which jury service will be retained as far as the Court of Grand Sessions is concerned, I personally, whether as a prosecuting lawyer (which I have never been in the Court of Grand Sessions) or as Defence Counsel, would never like to see the jury system abolished when the liberty of the subject is involved. At this stage I would like to pay tribute to the hon. senior member for St. Lucy, the second oldest member of this House in tenure of office, who from time immemorial has agitated on the floor of this House and outside of it for an increase in pay to be given to jurymen, and in later years, of course, Mr. Chairman, he has been supported by myself and other hon. members who appreciate the difficulties under which jurymen have to operate in giving up their business and their work and income in order to serve their country. The hon. member for St. Joseph for years has expostulated that the jury service is an honour. If it is an honour, I think it is only fit that jurymen should get C.M.G.'s. I do not think it is any honour to leave one's business to sit in Court, as you have had the experience, listening to cases and indifferent addresses not on the floor of the House, but from Counsel, and worried all the time about what is happening back home. This Bill is a step in the right direction and I deplore the fact that the increase was not of a more substantial nature, but to return to the point: there is no provision for the increase of pay made at present to the Coroner's jurors.

Now, Mr. Chairman, I do not know if you have ever had the misfortune to serve on a Coroner's Jury, but it is a most morbid experience and I believe they get the healthy remuneration of sixty cents per day for attendance to sit in the Coroner's Court. The practice has grown up now of having a permanent foreman of the Coroner's Court, a rather ghoulish personality who likes nothing better than seeing a corpse opened and who actually assists the doctors and, I believe, has acquired some skill in the dissection of carcasses.

Mr. CHAIRMAN: I think you are going back to the second reading of this Bill.

Mr. BARROW: What I am saying is this: I would like to see inserted in Clause 2 of this Bill provision for an increase in pay for Coroners' Jurors. I would like to see a better type of person, a disinterested type of person, sitting as such Jurors. The position now is that we have a permanent Foreman, and in order to make the thing worth while, they must have at least five adjournments of an enquiry before they can decide the the cause of death of some unfortunate person. That is one of the reasons why you cannot have a speedy coroners' enquiry. I would like to see a more intelligent and less ghoulish and cadaverous, Coroners' Juror sitting at these enquiries. If we cannot achieve this end by increasing the remuneration of Coroners Juries, then we should abolish them altogether, as was done in the United Kingdom.

Mr. CHAIRMAN: I have not seen anything like that in this Section.

Mr. BARROW: That is what I am complaining about. I hope that Government will make an amendment to the Act as soon as possible to include Coroners' Jurors on the lines I have indicated.

Mr. BRANCKER: While I welcome this Section a great deal—it is a long time since I have been agitating for it—the increase is by no means excessive, that is to say, $3.00 a day and travelling allowance 60c. It is a matter for serious consideration now when dealing with Jurors. This Sections 2 which replaces Section 5 of the principal Act applies to every Juror attending the Court of Grand Sessions or either of the Superior Courts of Civil jurisdiction or the Court of Escheat. In so far as the Superior Courts of Civil jurisdiction are concerned, I think we should attempt something similar to the procedure in England, whereby both parties may agree in practically every civil case, to do without a jury and have the matter tried by the Judge. In such procedure, it is very informal and the Judge does not even wear a wig in the Court.

The abolition of a jury for a Superior Court of Civil jurisdiction would offset the necessary increased expenditure in the payment of jurors at the Court of Grand Sessions. There is no getting away from the fact that up to now, the best and fairest method evolved for trying criminal cases is the method of trial by jury; I hope that we will continue along that line, and have no less than twelve men good and true. It is not so long ago that some of us—I think the Hon. Premier was among us—were agitating for the abolition of the Special Juries. I would like to hear him speaking on this matter, and it would be a good thing to do in dealing with this Section now. I would like to hear what is his opinion as to the abolition of the notorious Special Juries; it has been the purpose of Special Juries not to consider the cases which they are trying, but rather the persons concerned in them. It is a question of whether we will take steps to abolish that very unwholesome system now obtaining in the Judiciary.

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

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

Mr. SPEAKER resumed the Chair and reported accordingly.

On motions of Hon. G. H. ADAMS, seconded by Hon. Dr. H. G. H. CUMMINS in each case, the Bill was read a third time and was passed.

4.15 p.m.

THE ACQUISITION OF LAND (OCEANOGRAPHIC RESEARCH STATION) BILL, 1956

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier: Second reading of a Bill to acquire certain lands and rights over lands to be used in connection with the establishment of an Oceanographic Research Station and for the payment of compensation therefor and for matters connected therewith.

Hon. G. H. ADAMS: Mr. Speaker, as hon. members will see from the "Objects and Reasons", this Bill seeks to carry out a portion of what we have to do in order to enable the Government of the United States of America and the Government of the United Kingdom to establish an Oceanographic Research Station in this Island. This is concerned only with the question of purchasing lands on which the station is to be established but in view of the remarks made a few Tuesdays ago by the hon. senior member for St. Philip which I was at pains to contradict at the time, I must remind the House of what has happened. The Governments of the United Kingdom and the United States of America have agreed to establish an Oceanographic Research Station in several parts of the world including the Western Hemisphere; Barba-

dos is not the only place in which they are endeavouring and have agreed to establish an Oceanographic Research Station.

It is unnecessary for me to repeat what has been said in this House when the Government came down here with a Message from the Governor and got the approval of the House of the principle of getting these negotiations to go through. Let me say quite plainly and bluntly, no matter what the hon. senior member for St. Philip may say, I am going so far as categorically to deny anything which the hon. senior member for St. Philip intends to say, if it is based on what he said a few Tuesdays ago. Let me say that neither the Government of the United States nor the Government of the United Kingdom can tell this Legislature what to do. Unless we agree to what the U.S.A. wants to be done it will never be done. [*Cheers!*] It is wholly untrue to say (and if it were true it would be wholly irrelevant) that the British Government is attempting to stop the Government of the United States of America from having this Oceanographic Station here. It would be wholly irrelevant but I know that it is not true, I have been sitting in at meetings of the Executive Committee whenever this matter was discussed barring the one occasion when I was in England and which opportunity I took to discuss it with Colonial Office and got cables sent to the Barbados Government saying what we were agreeing on and receiving cables from the Executive Committee to the Colonial Office as to what the Executive Committee was prepared to put up as to the wishes of the Barbados Legislature.

If I may briefly run through the "Objects and Reasons", Mr.Speaker: "by His Excellency the Acting Governor's Message No. 25 of 1955 the Legislature was informed that the Government of the United States of America and the Government of Barbados proposed to negotiate an agreement for the establishment in the island of an Oceanographic Research Station by the Government of the United States of America and the concurrence of the Legislature was accordingly sought. The Legislature gave their concurrence." I will stop at that point.

We specifically told the United States Government, in spite of whatever may happen in the Bahamas and the other places, that no arrangement between the Government of the United Kingdom and the Government of the United States of America can have any validity in Barbados as long as legislation was necessary unless the Barbados Government concurs; in short, the United Kingdom Government cannot make an arrangement to put a base here and we would have to swallow it. It would be perfectly true to say that if the United Kingdom Government owned land here and chose to lease it to the United States' Government or anything like that, we would not have to consent to its because there is no law to say that a foreigner cannot come here to lease land. However, in this respect, the Oceanographic Research Station involves a request by the United States' Government. It is well-known that wherever soldiers, sailors or airmen are allowed to establish a base that certain privileges are given them. In short, if you have a base in St. Lucia, Antigua or other parts of the world even in Great Britain where soldiers, sailors or airmen are, they are allowed to bring in stuff duty-free. It therefore means that as soon as you ask Barbados for similar privileges that this House will have to agree and that is the particular way how we came into the matter. No agreement can be made between the United Kingdom Government and the Government of the United States of America affecting a Station here without the concurrence of this Legislature.

I am not going to disclose everything; obviously I cannot. I repeat, no part of the British Empire has insisted on more restrictions than the Government of Barbados; for instance, the question of jurisdiction, what Court should try whom and so on. The United States Government has complained indirectly that Barbados wants more than anybody else and they were told that is absolutely our right; we were not a Crown Colony.

Nothing can be more untrue than the suggestion and the implication contained in the suggestion that this Legislature is being ignored. I do not want to blow my own trumpet but I have even gone further than this Legislature and insisted at the Colonial Office when we were discussing this matter with a representative of the Foreign Office who would report to the United States Embassy who in turn would report to Washington, that nothing that looks like the possibility of an American soldier coming here and shooting and then asking a question would be tolerated.

I would never agree to the Station coming here if the jurisdiction of the Courts was not established as we want it. That is why I can afford to say that whatever the hon. senior member for St. Philip may say, whatever charge he laid here, is untrue. Even though he has not said it, it is untrue.

4.25 p.m.

He cannot say anything that is not untrue if he is saying it in order to amplify that this British Government is doing this and flouting the wishes of the Legislature. Far from that, I repeat, Sir, I have insisted on strengthening what the Legislature has declared. Now, Sir, this Bill, as I said is only part of what we have to do to get the station established. What has happened is that—and I am going to disclose as much as I can because obviously the House would not expect me to disclose everything under discussion with the United States—the United States sent people here who went around the island and chose what they thought a suitable place; that place happens to be in the northern part of the island, St. Lucy. The owner of the place sought a good opportunity, apparently—I can only say apparently—I do not know if what was in his mind was to make something out of the United States Government—because (and I see the hon. junior member for Christ Church smiling) the average business man would try to get someting substantial out of the United States Government. The price asked was extraordinarily high, and in as much as the Government of Barbados had to concur in anything done, obviously it would not be right for the Government of Barbados to acquiesce: which might mean [A VOICE: State the price that you consider high!] that later when we had to buy land somebody would say you were ready to give £1,000 for hard land in St. Lucy, so why can't you pay the same price for land in St. Michael. Obviously we could not agree with the owner asking that price and to get it, which was out of all proportion to the real value of the land. We put our foot down on that and we said if you could not agree between yourselves on a price which we felt was reasonable, we must then resort to the Land Acquisition Act. We resorted to compulsory acquisition of the actual spot, but the provision under the Land Acquisition Act does not cover the whole situation because in the area where the station is going to be put up in order to get to that land you may have to put poles to carry in electric cables over other people's land, and the object of this Bill today is to help the Admiralty in acquiring this land and acquiring the rights over the adjacent land on which you may have to dig something three feet

square to put poles to carry overhead wires or anything of that nature, because you have no right or easement over the land unless in the Act. If I may continue reading, Sir:

"This Bill therefore seeks to enable the Admiralty to acquire an area of approximately fifty acres of land situate at Harrison's Plantation in St. Lucy and certain rights and easements over other lands in the vicinity thereof for the purpose of leasing the said lands to the Government of the United States of America for the establishment of the Station. Provision is made for the payment of compensation for the lands acquired as well as for the rights and easements to be enjoyed and exercised and the machinery of the Land Acquisition Act, 1949, will be used (either by arbitration or before the Chief Judge) for the determination of the amount of such compensation, unless otherwise agreed".

I repeat Sir, fifty acres of land are to be bought, but cables and other things have to be carried in from the seashore to this station and you have to go over other people's land within the vicinity of the Harrison's point, and it is to acquire easements over these lands to put up poles that this Bill seeks to establish. I do not know that there is anything more I need say at this stage, because I will be repeating what I already said in the House. The United States Government and the United Kingdom Government are having these stations in different parts of the world. It pays the United Kingdom Government as far as this area is concerned to let the Americans do the establishment. The United Kingdom Government will, if it has the land, hand it over to the United States Government to establish the station, but if it has not got the land, it will purchase the land and then hand it over. It has not got land in Barbados, so the United Kingdom Government through the Admiralty is purchasing the land at Harrison's Plantation and then leasing the land to the United States Government. I do not remember any specific instance in which it is done, though we know some cases in which the United States and the United Kingdom Government make a joint effort to have these oceanographic stations established. Again, I repeat it is not necessary to tell the House what it has already heard as to why oceanographic stations are necessary. During the last war they did not know the currents and tides and what submarines could do, and so on, and with an object to discover the tides in a particular part of the world and providing against possible submarine warfare in the next war, stations have been established. Let me tell the House—and forgive me if I blow my own trumpet—that backwards and forwards when I was last in England and the time before that, there had been the point of view that the Barbados Government were asking the Americans to claim the right to let their own counsel appear in court on behalf of an American charged with an offence, but a Barbadian lawyer may be able to appear in an American Court too.

On the question of jurisdiction, if the United States Government has a soldier or any other person working with the station and he committed an offence in Broad Street, they may claim the right to try him and if we say O.K., all well and good, but if we do not agree, we try him. So from no point of view can it be said that anybody is stopping the Americans or forcing any particular thing on them. Government, knowing Barbados, (and above all I pay this compliment to the members of the Opposition), and the noise which the Opposition can raise from time to time in discussions with the Colonial Office, and that the Opposition or the backbenchers of the Government would never agree. I say nothing as regards the Ministers themselves—the Ministers always do the right thing—neither the back-benchers on the Government side nor the Opposition would agree to that happening if it meant we were abandoning the ultimate right of trying offenders outside the station. We have gone further than that to claim the right to try people who commit offences against people in the station of British nationality except espionage against the United States Government itself. If an American soldier on Barbados soil spies or steals secret documents, there is no reason why we should try him at District "F" or "E" whichever station it is; but if a man is working and an American soldier hits him, why should we not say that the soldier should be taken to District "E" and tried there? That has been the attitude of the Barbados Government. We have insisted on matters that do directly affect the British subjects and there are serious matters against the safety of the United States of which they have complete jurisdiction in the station. Outside of that, at a rum spree at night in some of those hotels that are called night clubs, there is no reason why the Police Magistrate at District "A," if he has time enough, should not try them. So I give the repeated assurance to members of the House that the rights of Barbados are so well safeguarded, that we have been told that we are setting up problems and demanding things no other part of the Empire has so far demanded.

I think that the Government owes a duty to the Opposition and the whole House, in fact, to assure them of that. I feel sure now that I have given that assurance, hon. members will believe me that the rights of Barbados will be amply protected. I beg to move that this Bill be now read a second time.

4.35 p.m.

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

Mr. LEWIS: As far as I remember the Message from His Excellency the Governor said this:—

"The Government of the United Kingdom, with the concurrence of the Government of Barbados, shall provide rights of way and a site of about 35 acres in Oceanographic Research Station by the Government of the United States". . .

I take it that using the Cumpulsory Powers Act, the Government of Barbados is to do the buying on the behalf of the Government of the United Kingdom. I take it that the reason why this matter has not been concluded yet is because they did not accept the price which was asked for the land. I take it that the hon. member has assured himself as much as is humanly possible, and has appreciated the apprehensions of members of this House who are speaking on behalf of themselves and the public of Barbados, about what can happen with dual jurisdiction in this Island. It is the pride of Barbados that it has always been under British rule, and not in the position where it has some kind of dual jurisdiction over the people residing, and working in Barbados. I take it that the hon. member can give an assurance that this Station is not being used in connection with guided missiles. That is the fear which was expressed when the hon. member was in London.

With the acquisition of a base in St. Lucia and somewhere else, I see that at a Conference in London it was stated that something was done along these lines without their consent, and I hope that this Station will not be used in that way. Let us know exactly what the position is; the fear which has been expressed has gone outside of this Island. I have heard members of the British Parliament condemn the setting up of this Station in Barbados, so that the hon. member may be assured that it is not only Barbadians who have fears about this Station;

but members of the House of Commons have expressed some fear about it as well. One of them went so far as to say that the Barbados Government should not have allowed the establishment of this Station here. Therefore at least, they know that we are approving it. If the hon. member cares to say anything further, I would like to know if he has got the expression of some person connected with it, so that we can place it on record that we can be assured, and, if necessary, we can use the name of the General, or whoever he is, who said that this Station is not to be used in connection with guided missiles. In case of of war, we would expect this Station to be used for anything which would be for the protection of the Americans, but in case of anything short of war, we should have some sort of guarantee as to its peacetime use and that it cannot be regarded as a military target.

Mr. GODDARD: We have already in this House given our consent to the use of Barbados for this purpose. On that occasion, all hon. members offered the suggestion that adequate protection should be given to our Nationals. We welcome an American Station of this sort here, but we do not wish to have them coming here in a manner such as to lord it over us. We have heard of the happenings in Trinidad and in Jamaica during the war and we do not wish similar incidents to take place here. Personally, I think that a Station of this size will be a small Station and we need not have much fear of that; we can more or less absorb this Station without any great incidents taking place here. During the war when they were extending Seawell, they had fifty men here and I think there were the happiest relations existing between the American Nationals and the Barbadian public at that time. All sections of the community are only willing to assist the American Government in this project; but again I would repeat that this is the time for our Government on behalf of the people to take whatever safeguards are necessary in the negotiations, so that the American personnel will know exactly how far they can go and what they can expect. If they know that, then the relations between the two Governments will be much better.

I understand that these negotiations have been dragged out for over six months, and they have now come to the point where arbitration will have to be invoked; and it is for that reason that this Bill is before us today. Naturally, the proprietor of this area of land sees an opportunity, and he is quite prepared and willing to sell this land; but I understand that he is asking a price which the Government thought to be unduly high. However, it is the Government's duty, because they are negotiating for the British Government, to see that as reasonable a price as possible is fixed, but they should also see that the owner of this land gets a price which will not impose any undue hardship on him. I am not prepared to go into any figure because I do not know the land; but an arbitration, whether it is before valuers or before the Chief Justice, should take place, and as soon as possible. This is not a case of the owner of the land not being prepared to sell; it is just a question of arriving at the price.

I can say that the American Government is very anxious to get on with the job, and as soon as this Court can be set up, the sooner and the better it will be for everybody concerned. We have already set out the terms and it is only a question of the Americans moving in. I understand that they were willing to move in in February, if the land could be acquired; they are quite prepared to move in tomorrow if this land were available.

4.45 p.m.

I do hope as soon as this Bill is passed that whatever negotiations which will have to be adopted will be done immediately because they are anxious to come to establish this Research Station and it should not be held out that we in Barbados are so different from any in the West Indies that it is hard for them to come in. That would make Americans and the United States Government feel that we are a peculiar set of people, and I would not like that feeling to go abroad because it is not so. Generally speaking, the people of Barbados would welcome Americans here as equals. I do hope that the negotiations which will be required will be done as expeditiously as possible and as fairly as possible to all parties concerned. I do know that there is a feeling in certain quarters that we are unnecesarily holding them up.

Mr. TUDOR: Mr. Speaker, I think that every single person in this Island is glad to hear about this proposed base which the Americans wish to construct at St. Lucy. There may be of course some reservations and they are mainly based on the assumption that preparations of a more warlike nature than we hitherto expected are going to take place and that certain racial relations may ensue; but apart from those two reservations there is undoubtedly consent to the Scheme other than by the people who are nearly concerned in the matter; that is to say, the inhabitants of the parish of St. Lucy are very puzzled at the delays which have prevented the realisation of the scheme. After all, the impression which the public has got is that the British Government was in no way opposed to the establishment of this Oceanographic Research Station here and that the Barbados Government was prepared to concur and in fact that was done because I think it was in October that this Legislature gave concurrence in the matter.

Now we are told that the delays have been occasioned by the dispute which, it is alleged, exists between the present owner of the land and the Government of Barbados as to the price which the owner should receive for this land and that is the reason why we are now considering this measure so as to acquire this land by compulsory purchase.

If all the Hon. Premier has been telling us hits the facts of the matter, it is obvious that they must clear it in the way they are about to clear it. This is one of the things that this Government has to guard against in these matters. Whenever they have to buy something, they are always having to pay more for it than it is worth, and one always wonders if the time will ever come when land bought by them will be bought at a price which it is really worth outside of compulsory acquisition. My colleague and I are familiar with the lay out of the land on which it is proposed to put this Oceanographic Research Station. Of course it is no part of our business, not being real estate agents, to say what it should cost. Of this, however, I am certain. Since it is the people of this Island who will be purchasing this land from this gentleman, it ought to be possible for him to receive a reasonable price without at the same time penalising the rest of us. The owner of this land ought to bear in mind that when the base is established here on that land all his property will be increased, probably a hundred fold: and what he foregoes now, he and his heirs are bound to get in the years to come. I was speaking unofficially with an interested party sometime ago, and I was told that the sooner this matter can be settled the better it would be for all concerned, because the Americans are only waiting to start

and probably they are going to spend about $1 million in their own currency in establishing this base. I was also told that it is the custom of the Government of the United States of America whenever they leave a base and there is no longer any use for it that all the installations are left intact to be acquired by the Government of the territory if the Government wants it or by private persons. What we have to bear in mind, Mr. Speaker, is that the establishment of this base here would mean quite a lot for this Island and particularly the northern parish of St. Lucy. Whenever the American authorities decide to relinquish it the Government of Barbados will be in a position to purchase all the buildings, installations and equipment which are very valuable indeed and which can be turned to good account; and for that reason and other reasons I do hope we are now seeing the end to delays and that this matter will be settled as quickly as possible.

With respect to the important reservations which occupied this House some months ago and which we were not successful in getting done, I wish only to say this. I do not think that the Government of the United States of America is at all out of sympathy with the desire of a certain section of thought in Barbados to have guarantees which would protect the rights of the subjects of the Queen in this Island.

4.55 p.m.

The American authorities themselves are well aware or should be of the friction which has sprung up between some of their armed forces and the civil Courts of the territories where they have these bases. Your Honour will not be unaware of the facts that even in the United Kingdom there have been very harsh words expressed in the English Press because of certain disagreements which have arisen between local Englishmen and some American soldiers at the American Stations quartered in certain districts. It has happened too in Trinidad where certain unfortunate incidents occurred, and also in St. Lucia. We have been spared that: and it is for that reason and having all that in mind that this side of the House did feel at the time that our reservations were so important that an effort should be made to put them in black and white from the point of view of protecting British subjects of the Queen in this island. However, it appears from what the Premier has said that the matter has received not only the attention of this Government, but has been put, as he said, quite forcefully — so forcefully to the United Kingdom Government that we appear to be the only British territory making so important stipulations. I however, deplore the fact and I would be more comfortable in mind if it were given in black and white, and failing that I think a similar declaration from the Government of the United States issued through the British Parliament to the effect that the inhabitants of the island need have no fear of allowing the Americans to come here, and a declaration to the effect that the rights of the citizens of this island would be protected and will be enjoyed as always . . . I think such a declaration might allay quite a lot of fears. The third aspect of the matter on which I should like to dwell and I know my colleague when he speaks will amplify it, is this: obviously, we cannot tell the United States Government how it should build its base. Obviously we can leave it to them to do the best job, but perhaps it might be pointed out—it would do no harm to do so—that the construction of the buildings for the base and other installations should bear some relation to the landscape of the particular part of the island so that the natural beauty of that part of the St. Lucy's coast should not be lost. It would, I know, be am impertinence to want to examine their plans because I know Your Honour, who like myself and your colleague represent that part of the island, would be very concerned to see the natural beauty of the coastline preserved and I think that you would join with me in wishing that nothing is erected which spoils the vista of that part of the coast. My colleague and I in talking over this matter between ourselves and with our constituents have expressed the hope that the labour required by the Americans in all their operations will in the first instance be recruited from the parish we represent, and of course, if the work becomes more than can comfortably be done by St. Lucy men, to allow Your Honour's constituents to partake in the benefits. I do not think that is an unreasonable stipulation. It is nothing we can insist on but it ought to be represented very strongly that that is the wish of not only the representatives of the parishes and of the constituents concerned but it would seem to be a fair hope on the part of most people who are interested in this project; and I think that the Americans themselves, who after all, do not like to waste their time or money, will see the wisdom in such a course. With these few remarks, Mr. Speaker, I say now, as I said on that occasion, that it is a good thing and I personally have no fear that it will in no way do damage to or be of discredit to this Island. It ought to be encouraged and I now express my wish that this Government will give, through the United Kingdom Government, the American authorities all the assistance and co-operation of which they may stand in need.

Mr. BRANCKER: Mr. Speaker, it seems to me that the principle hitch so far in the negotiations in connections with the establishment of this Oceanographic Research Station has been, as almost infallibly is in respect of any negotiations, the question of price. That will always provide a stumbling block and it may well be that the owner of the land in question, knowing that he is dealing with Americans have been more extravagant in his demands than he would have been if he thought he were dealing with English and certainly dealing with some of these hard-headed Barbadian business men. I have heard two figures mentioned, one of which I understand the land owner has been asking for and the other which the American Government has on certain advice from local people been offering him; but on the other hand, while I will be party to the Americans—and certainly although I am not as pro-American as some members of this Chamber who sit on the left or perhaps the extreme left of this Table may be deemed, — yet despite that I feel, Sir, that it would be a good thing for the people of this island and particularly for the people of that area if we have the Americans in that district, because it is bound advantageously to affect the economy of the Northern parish. Of that there can be no doubt at all. The American dollars on these fifty acres of land will be circulating to some extent in the parish in which they are most needed, and, Sir, as you quite well realise if there be a superfluity or super abundance in the north, there is only one parish in this island which is contiguous to that in which this station is to be established, and therefore, the benefits are bound to overflow to the district which yourself and the Secretary General of the Workers' Union so ably represent. But Sir, I am not as light-headed as the Hon. Leader of the Opposition in connection with the purposes for which this station is being established. None of us knows the purpose too well, but he is in the extreme South and might not have the misgiving as to what the enemy power might think is being done

in that area which might make it necessary for them to attempt some damage to that area as a war measure or as a safety measure from the stand point of the people at Harrison's Point.

5.05 p.m.

I must confess that I would very much look forward to a public statement by the Americans themselves not merely that this is an Oceanographic Research Station which we all know, but that its use and purpose in peace-time and in war-time would be confined exclusively to the essential duties and purposes of such a Station. You can understand how the equanimity of the people would be disturbed, not the people who live in Christ Church, at Graeme Hall Terrace and so on, but those who live in St. Lucy, if they suspect or believe or if a foreign enemy power suspects that the Americans are using this base for purposes other than those of an Oceanographic Research Station. Naturally, only a public statement from the Americans themselves would disabuse the minds of an unfriendly power as to the use of this Station.

Referring to land values in this district, while I would not be any party to the Americans being required to pay an extravagant price for this land, yet on the other hand, I see no reason why the value of the land in that district should be depreciated as a result of an insignificant price being paid for this land at Harrisons. I hold no brief for the owners of Harrisons, nor am I concerned with them, but I am concerned with the peasant owners in the Checker Hall and surrounding districts. If this land is acquired compulsorily or by arbitration at some ridiculously low price, then the value of land, in the surrounding districts, owned by peasants will automatically go down. In the absence of our real estate agents—one cannot understand why they are not present at such an occasion as this; perhaps they know about this matter and they have dutifully absented themselves. [*Laughter*]. When the Government buys land at a price higher than that which they should pay for it, then automatically the price of the surrounding land goes up.

I recommend that, in the employment of the machinery of the Land Acquisition Act—well, I have abiding faith in British justice as it is practised here and in the United Kingdom,—the method of going before the Chief Justice in this matter is the proper one, that is the method of determination which I advocate, and which I hope will be followed. I much prefer that method than that of arbitration. I do not know if the owner feels that because the Americans are interested in this land he can skyrocket the price to 5/- a square foot, or if it is 1/6 a square foot—I believe that that is the price which the owner had in mind even although he did not express it. We will all welcome the advent of American dollars, and one cannot help feeling that the establishment of this Station will help us to draw nearer to the establishment of a freer Airport in this Island. The representatives of the Americans might come here by plane and we will have some thing to boast about in our respective territories, both myself and the Hon. Leader of the Opposition, the hon. junior member for Christ Church.

There is also the burning question, as the hon. junior member for the City has said, of the use of guided missiles, and the necessity of letting people, who are resident in that district, realise what the position is; they should also let it be widely known to any possible enemy power, that nothing would be going on at this Station other than the legitimate purpose and functions of an Oceanographic Research Station. The sooner that such a statement is made, the quicker will the minds of people be relieved, especially the people who live in that district, and it will be much better if such a statement comes from the Americans themselves. Such a statement may not be doubted by the British Authorities, but it would be much better to come straight from the lion's mouth, that Uncle Sam himself states that this Station will not be used for purposes other than those of an Oceanographic Research Station.

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

On the motion of Hon. G. H. ADAMS, seconded by Hon. Dr. H. G. H. CUMMINS, Mr. SPEAKER left the Chair, and the House went into Committee on the Bill, Mr. Smith being in the Chair.

On a similar motion, the Preamble was postponed

Clauses 1 *to* 4 *inclusive were called and passed.*

Clause 5 *was called.*

Hon. G. H. ADAMS: Mr. Chairman, in moving that this Clause stand part of the Bill, I would like to give this assurance. We have made it quite clear that this Station will be used for the purpose of an Oceanographic Research Station, and not as a Station for guided missiles. [Mr. LEWIS: That is the most you can do.] I have no reason to suppose that this Station is intended to be used for a guided missile observation Station of any sort. I must say that you have to trust the word of the United States of America; it would take a super-expert to say if a Radar Station is erected, whether it is being used as a guided missile Station or not. I would have to take the word of the United States Government that they are setting up this Station as an Oceanographic Research Station, and that they are not using it for any other purpose. I beg to move that Clause 5 stand part of the Bill.

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

The question that Clause 5 *stand part of the Bill was put and resolved in the affirmative without division.*

Clause 6 *was called.*

Hon G. H. ADAMS: I beg to move that Clause 6 stand part of the Bill.

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

Mr. LEWIS: Mr. Chairman, I do not know how it would be possible to obstruct the Admiralty or the United States Authority in the exercise of any of the powers conferred upon them by the provisions of Section 5 of this Bill. I would like to know what sort of obstruction the Hon. Premier has in mind so as to warrant a fine not exceeding $500.

5.15 p.m.

Hon. G.H. ADAMS: The fine has to be serious because you are giving the United States Admiralty power to acquire rights over any land but if you are also giving the owner of the land compensation naturally you cannot make it arbitrary. They must be allowed to trespass on his land to put up the base but he gets adequate compensation. The fact is that this Oceanographic Research Station is a serious matter, it is not child's play. You must make the penalty severe; otherwise you might upset everything and cause unnecessary friction by obstruction. That is the only reason why the penalty is there. Of course, it may be only five dollars and not five hundred dollars because the Magistrate has the right to say what should be the amount of the fine.

Mr. LEWIS: I take it that this matter will be dealt with in our Courts.

Hon. G. H. ADAMS: Yes.

The question that Clause 6 *stand part was put and resolved in the affirmative without division.*

Clause 7 *was called and passed.*

Clause 8 *was called.*

Hon. G. H. ADAMS: Mr. Chairman, what I was just referring to you can see that from this Clause that he is getting compensation in respect of schedule rights. The question of out and out payment for the 50 acres is done and over. This matter is to go to the Chief Judge. We think as a Government that £50 per acre is all that should be paid. I am sure that that amount is the most anybody would pay for the most valuable arable land in that vicinity. The price of sugar being what it is, how can land be worth more than £50 an acre? I think the owners wanted something in the neighbourhood of £500 an acre.

Now, Sir, having acquired the land and the road leading from the sea, we have to acquire the right to walk over this land. It might only be once or twice. It is just like when one is putting up a telephone post. You only go there to put it up and you do not go back to it until you take it down and put up another in its place. That is all that is happening. As regards the adjoining lands there is no reason for him to obstruct anybody merely exercising the legal right given him to do, so you can see that this is not creating a hardship on the owner of the land because the compensation set out will be the same sort of compensation as is normally given.

Subsection 3 of Clause 8 reads as follows:

"Compensation payable under this section shall, in the first instance, be a sum calculated by reference to the diminution of the annual value of the land ascribable to the exercise or enjoyment of any scheduled right and shall be paid in instalment, quarterly in arrear, to the person who for the time being is entitled to occupy the lands in respect of which any scheduled right is exercised or enjoyed.

In short, if his land is worth $30 a month before the poles are set on it and by putting these poles on it would cause it not to worth more than $20 now, he would be paid $10 for the diminution in the land. That is what paragraph 3 means. If honourable members will look at paragraph 4, they will see what is happening in case they do not worry with the poles. The land will be put back in the original position. I beg to move that Clause 8 stand part.

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

Mr. LEWIS: So far as I remember, Mr. Chairman, either when the original Message concerning this matter was before the House or in another debate, the rights of fishermen in the area were questioned. I would like the Hon. Premier to tell me if that is provided for in the Bill.

Hon. G. H. ADAMS: That is a matter which we will have to take up with the American authorities. The question of sea-bed and the question of fishing are all worked out and the area would be marked. There is also the question of the exploration for oil by the Gulf Oil Company in that area and that has been gone into with the Colonial Office and the American official who attended that meeting.

The question that Clause 8 *stand part was put and agreed to.*

Clause 9 *was called.*

Hon. G. H. ADAMS: Again, Sir, I would like to draw the attention of the Committee to Clause 9 which is, in case there is any dispute as to whether compensation is payable under the previous Section or as to the amount of compensation, in default of agreement, will be determined by the appropriate tribunal as provided under the Land Acquisition Act. I beg to move that Clause 9 stand part.

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

The question was put and agreed to.

Clause 10 *was called.*

Hon. G. H. ADAMS: Clause 10 is there to see that everybody has a chance of being told that you intend to give rights for use of the land and therefore for the interested person to find out his rights for compensation. I beg to move that Clause 10 stand part.

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

The question was put and agreed to.

Clause 11 *was called.*

Hon. G. H. ADAMS: As regards Clause 11, the Executive Committee was careful to see that if the Admiralty does not need this land anymore and they intend to sell it that they offer it for sale to the Government first. In short, the Government will have the first refusal. I beg to move that Clause 11 stand part.

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

Mr. LEWIS: Mr. Chairman, I would just like to make a comment on this section. I am glad to see this set out here because when the Admiralty bought land in St. Philip and sold it to the Barbados Government after they had finished with and at the same price which they had bought it, it was said in the Other Place that when the Admiralty bought it they promised to offer it back to the original owners when they were finished with it, and it caused some talk. It was said that they had broken faith with the original owners because they did not give them the first refusal to the land; therefore, I rather, like the idea of your setting out here that the Government should be given the opportunity to acquire it in the first instance because it might be useful to Government. There can be nothing wrong with this because it is set out in the Act of the Island that this is to be done. Nobody can accuse the Government if they follow this sequence.

Hon. G. H. ADAMS: Mr. Chairman, as regards what the honourable member said about the Admiralty breaking faith with the original owners of the land at St. Philip I do not remember that. I do not think this Government or the Admiralty had put anything on anybody.

In fact, I doubt whether I knew until now that that was the original scheme because I do not remember reading what may have been said in the Other Place. Anyway, this is going to be put in the Statute Book and therefore, they cannot sell it without offering us first. At least I would be inclined to say that any solicitor who advises them that they can give a title to anybody except the Barbados Government would be advising them wrongly.

5.25 p.m.

Mr. LEWIS: The great thing about the Admiralty is that while they might have broken faith with the original owner, the Barbados Government gave them the permission to acquire the 50 acres of land and they should regard it as compensation.

Hon. G. H. ADAMS: I beg to move that the Schedule stand part.

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

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

Hon. G. H. ADAMS: I beg to move that the Preamble stand part.

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

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

Hon. G. H. ADAMS: I beg to move that Your Honour do now report the passing of the Bill in Committee.

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

The question was put and resolved in the affirmative without division and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. G. H. ADAMS seconded by Hon. Dr. H. G. H. CUMMINS, the Bill was read a third time and passed.

ADJOURNMENT

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that the House do now adjourn for half an hour.

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

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

5.35 p.m.

On re-assembling,

MEDICAL REGISTRATION BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Social Services: To move the second reading of a Bill to amend the Medical Registration Act, 1911.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this is a Bill to amend the Medical Registration Act, 1911. The object of it is to increase the fee for registration which used to be $5.00, to $10.00. This was the result of a recommendation of the Committee which was set up to go into the question of fees in general collected by the Government. As far as this fee is concerned, the Committee recommended that it should be increased from $5.00 to $10.00. This is the fee for registration itself. In order to get a certificate of registration the fee which used to be 60c has now been increased to $1.20. I beg to move that this Bill be now read a second time.

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

Mr. E. D. MOTTLEY: Mr. Speaker, while I agree with this Amendment, I feel that the time has come when an effort should be made to have some sort of registration in respect of Oculists. In Trinidad and in all wide-awake-countries, you have to get persons qualified to deal with people's eyes. We should have on our Statute Book an Act for the registration of Oculists, and such persons. [Mr. LEWIS: Lawyers too.] The hon. junior member for the City is asking about lawyers; well, I think that the lawyers should also be included instead of merely making this amendment. I believe that this is the only place in the West Indies where Barristers are introduced without the payment of a fee; just as Doctors must be registered on having graduated, what is wrong in saying that when a Barrister is called to the Bar at one of the Inns of Court he should pay a fee? I do not think that either the hon. senior member for St. Lucy or the hon. senior member for St. George would take any serious objection to that. If they went to Trinidad they would have to pay a fee for registration; I think that the Government should include in its laws a provision that there should be a fee for registration in respect of Oculists and people who attend to the eyes.

Hon. Dr. H. G. H. CUMMINS: To answer the hon. member, I will say that that matter is also under consideration. It is hoped to have a Bill framed so as to be presented to the Legislature for its approval.

Mr. ALLDER: A case can also be put forward for Chiropractors. I am told that these Chiropractors find it very difficult to get co-operation from the General Hospital. Sometimes their patients have to go to Hospital; and if these patients are recommended by the Chiropractors they are ignored by the Hospital Authorities. We know the services which Chiropractors render to the people. It is a fact that the services of Chiropractors are accepted in Barbados, and the fact that so many members of the public make use of these services, should entitle the Chiropractors to more recognition. I have heard of the difficulties which obtain when such patients as are sent to the Hospital by the Chiropractors.

Mr. BRANCKER. I am not sure if I heard the hon. junior for St. Thomas aright when he was replying to the hon. senior member for the City. Of course, the hon. senior member for the City is in the happy position of having a vocation which earns very considerable sums in short periods, but pays nothing for registration. But when he referred to the members of the Bar, I do not take that seriously; I do not take the hon. member seriously, but the Hon. Minister said that this matter was under consideration, that is, to do something in Barbados which is different from what we have been doing for all time, when the representatives of other West Indian Colonies have intimated that they think it will be worth while to follow the practice of Barbados, that is to be admitted to practise at the Bar without any fee being paid. When we admitted Mr. Jimmy Lloyd on that occasion, Sir Alexander Bustamante expressed the view that it was a good thing that Barbados would so honour the profession as not to collect any fee for being admitted to practice and he intimated that that was one of the things which he would support in the Jamaica Legislature.

I know that Hon T. A. Marryshow is of the same opinion in respect of the Grenada Bar. We have always accepted the principle that a Medical man should pay a registration fee and one wonders why the proposed increase is so slight; it hardly amounts to any increase at all. Of course, the hon. junior member for St. Thomas has always been the guardian and the champion of the rights and privileges of the Medical profession; but in this instance, he has gone out of his way to be unduly excessively nice, to the profession to the detriment of the taxpayers of this Island. As he would know better than you or I would know, what the Medical profession makes today is on par with what the members of the junior branch of the Legal profession make, and to increase the registration fee from $5.00 to $10.00 is an increase which will not be felt. The reason why the members of the Medical profession leave it for politics is because they have made enough out of the profession that they can afford to go into politics; I am sure that the hon. junior member for St. Thomas will bear me out in that.

6.00 p.m.

I am sure the honourable junior member for St. Thomas would also bear me out when I say that whenever one leaves the legal profession it is one of despair over one's making a livelihood at the Bar and that can be borne out by at least one hon. member of the profession who is present.

However, Sir, we might consider this as regards debt collectors and real estate agents. People like that should have to register, for recognition to be accorded them so that the public will know that So and So is a licensed debt collector or auctioneer. About eight years ago I put forward the proposition in this House but we have not got much further

than that. However, today we have increased juror fees and as we go on, I am hoping that such legislation for debt collectors and auctioneers will also find its way on our Statute Book so that the public may be kept away from such real estate agents and debt collectors which they should be kept away from.

Mr. BARROW: Mr. Speaker, I notice in the "Objects and Reasons" that as the law stands the registration fee for medical practitioners is $5.04 and the fee for a certificate proving such registration is 60c. The Bill seeks to amend the Medical Registration Act, 1911 by increasing the fees mentioned to $10.00 and $1.20 respectively.

Now, Sir, I have had a most interesting experience a few weeks ago when one of the Medical Officers appointed by this Government to take charge of the Health Centre in Bridgetown—the Enmore Health Centre—went to the Registry and had to appeal to me because the Registrar refused to give him a certificate to show that he had been registered as medical practitioner here. Search as you might in the Medical Registration Act for 1911, we could not find any authority for the Registrar granting him or anybody the certificate and Dr. Coffin (if I may call his name) was so very perturbed about the whole incident and his leaving the Registry without getting the certificate that I had to console him by saying that the Registrar could not make him a doctor and so long as he qualified at the Medical School, the certificate could not make him a doctor as he was one already; and in view of the fact that he was already in the employ of the Government it did not matter whether he was a doctor or whether he had his certificates because the Barbados Government was paying him as a doctor. I want to make it quite clear that Dr. Coffin is not only a doctor but one who has had a distinguished career in other parts of the Commonwealth.

Now, Sir, the certificate which a doctor is supposed to pay for is not a certificate given by the Registrar. It is not a certificate at all. Section 7 of the Medical Registration Act, 1911, states:

"Every person on the Medical Register who may have obtained or may obtain any higher degree or any qualification other than the qualification in respect of which he may have been registered, shall be entitled to have such higher degree or additional qualification inserted into the Register in substitution for or in addition to the qualification previously registered, free of charge, on producing a certificate under the hands of the said assessors that he has obtained such higher degree or additional qualification; and the assessors are hereby authorised and required to grant the certificate on application to them for the same, and on the applicant producing to them the document or documents evidencing the higher degree or additional qualification."

Now, Sir, though the purpose is to allow additional qualifications to be registered free of charge, the only certificate referred to in the Act is merely a statement to the Medical Assessors that the particular practitioner, has given to their knowledge, sufficient evidence that he has acquired the additional or higher qualification. I do not see why we should go to the trouble since the position is one that you do not get a certificate showing that you are registered and that a certificate has been passed from the Assessor to the Registrar. This point would have never occurred to me if I were not present and appealed to by Dr. Coffin because he did surrender his certificate from the Medical Assessors to the Registrar which the Registrar had no authority of returning to him. He felt he should have something to show for his trouble. In your going and paying $10 for registration you do not get any certificate at all. All that happens is that the Medical Assessors approve and they inform the Registrar that you should be put on the Medical Register and you pay $10 for that. Your name is put on the register but the Registrar does not give the certificate; they keep that. It is not like a hawker's licence. There is no certificate and the hon. junior member for St. Thomas should know better than anybody else. What I want to point out is that a doctor is getting nothing for his money; he is only paying for the registration. 6.10 p.m.

The certificate is like a letter from Your Honour to the Churchwarden to the parish of St. Michael certifying you know this or that person, which the Churchwarden for St. Michael would use for any information. I do not agree at all with the idea of charging fees for registration unless they are substantial fees. If you are going to make fees, for Hospital Doctors it should be $100 and for general practitioners in private practice $2,000, because that really would be in proportion to the income which they derive from their separate callings. That would have some point to it, but to impose a fee of $10 which involves a lot of paper work and clerks looking up files, would be of no benefit to the island, because if you have five doctors coming every year to Barbados, quite apart from the general influx and exodus that takes place at the General Hospital, it would only mean $50 to the Treasury, and I am sure we would spend more than $50 in the printing of this paper. It is a complete waste of time. When I was at the Strand, as my learned friend the hon. senior member for St. Lucy would remember, we had to pay £80 which is nearly $400 on the day on which our names were entered on the book in the Supreme Court of Judicature in the Strand. Just for that mere entry of the name; and when our names were put on the rolls, we got a certificate to show that the cost was $480. I can understand fees of that kind. Either make substantial fees or have no fee at all. There is no point in charging, especially in the limited profession, limited by standards of education and income of parents and various other factors which doctors have to put up with, where you get an average of five people coming down to practice in Barbados and it is not worth the money spent. We are throwing money away when we put an amendment like this on the Statute Book. I feel we should abolish it all together except that in so doing you would be spending more money to abolish it. I do not think there should be any fee at all unless we are prepared to have a fee of $500, $1,000 or $2,000 for people going into private practice in Barbados because we know the returns are considerable in the Medical Profession. I would also like to point out, Mr. Speaker, that in other neighbouring colonies the fees for enrolment to the legal profession are fairly substantial, in the nature of $100 and in Jamaica £25, and I believe, speaking under correction in British Guiana £100 which is $480. If we are going to have fees like that I would be in favour and you should get a certificate to show you have paid this money, but as a matter of fact, before you did not get a stamp to show that you are registered. It is a complete waste of time because it does not improve the financial position of the colony.

Mr. CRAWFORD: Before you put the question, Sir, I want to support the major portion of the remarks made by the last speaker. I am in entire agreement with him that considering the dignity of the profession involved and the lucrative remuneration attached to it, the fee for registration should be somewhat higher; but what I am even more anxious

about, Mr. Speaker, is to discover whether in view of the inadequate number of physicians available to the population, whether the Government intends to take the step already taken in the other Caribbean colonies and admit American qualified physicians with specified qualifications to practice in Barbados. Everybody knows or ought to know the difficulties attendant upon the obtaining of medical attention by a large number of the population. During the day it is sometimes impossible and at night virtually impossible. People have been known to die in certain parts of the country because of the impossibility of getting medical attention at night. There are not many doctors in Barbados today and those who are in practice are so satisfied with what they earn during the hours of daylight that except in rare cases or special cases of friends they are not prepared to answer the demands of the general public after what they call their working hours. In other words, a doctor is demanding the same eight hour working day by daylight as anybody else. While I am not prepared to say a man should tax his physical capacity beyond what he is able to endure and be at the beck and call of people all day and all night, in times past the doctors of this country made their profession available to anybody during the day or at night who wanted it; but in view of the fact that for reasons best known to themeslves, physicians are not prepared to render service at night except in very rare cases, and in view of the fact that an increase in the number of medical practitioners must improve this position, if the Government is satisfied that it is possible within the immediate future to have registered in Barbados a number of appropriate practitioners to meet the demands, then, as I said before, I again emphasise today that steps should be taken to enable properly qualified American doctors to register and practice in Barbados. Shortly after the barriers were lowered in British Guiana, there were a number of applications from highly qualified American practitioners, many of them British West Indians, who were eager to return home and practice, and from what information I have had on the matter, I am quite sure that there are a large number of West Indian doctors in America who have proper qualifications who would very readily consider coming and practising in Barbados if these barriers were removed. There can be no justification for it, and the only barrier should be that of qualification; and all things being equal where qualifications are concerned there can be no excuse for the retention of the barrier.

Hon. Dr. H. G. H. CUMMINS: If I might enlighten the hon. member, the Medical Registration Act already provides for American doctors to practice in Barbados.

6.20 p.m.

On the motion of Hon. H. G. H. CUMMINS, 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.

The three Clauses of the Bill were called and passed.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX, the children reported the passing of the Bill in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

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

DENTAL REGISTRATION BILL

Mr. SPEAKER: The next Order of the Day also stands in the name of the Hon. Minister of Social Services: to move the second reading of a Bill to amend the Dental Registration Act, 1923.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this is a similar Bill to the one which we have just passed, but it relates to Dentists. Hon. members will remember that a Bill of this sort was passed by this House during the last Session; it was passed on the 14th December, last year. The fee for registration was then increased to $10.00; the object of this Bill is to increase the fee for a certificate of registration. It is similar to what the hon. senior member for St. George was referring a little earlier, but he failed to remember that when you register no certificate is given to you. If you want a certificate you must pay for it. The registration fee is to put you on the register; the fee used to be a guinea, now it is $10.00 The fee for a certificate proving registration was 60c., and it is now proposed to increase it to $1.20. I beg to move that this Bill be read a second time.

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

Mr. BARROW: Mr. Speaker I should just like to correct the Hon. Minister. Previously what I was trying to point out is the unfortunate illustration of a Medical Practitioner insisting on having a certificate when he was not entitled to it under the Act. You cannot go into the Registry and demand a certificate, neither under the Medical Registration Act, or under the Dental Registration Act. You can get a certificate from the Board of Assessors which is just like a letter saying: "I have seen this man and you can put his name on the register." But if your name appears in the *Official Gazette*, which is a fact that you are entitled to practise and which is judicially noticed, you then can have a certificate. The publication of our name in the *Official Gazette* means that you are entitled to practise in this Island; it is not a question of asking for a certificate after you have paid five guineas, that is what the Registrar had to point out to the particular Doctor. I just wanted to clear up the misunderstanding.

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

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX Mr. Speaker left the Chair, and the House went into Committee on the Bill, Mr. Smith being in the Chair.

The two Clauses of the Bill were called and passed.

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

Mr. SPEAKER resumed the Chair and reported accordingly.

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

DRUGGISTS' REGISTRATION BILL

Mr. SPEAKER: The next Order of the Day also stands in the name of the Hon. Minister of Social Services: To move the second reading of a Bill to amend the Druggists Act, 1894.

Hon. Dr. H. G. H CUMMINS: This Bill is of a similar nature to those we have just passed, but in this case, it refers to Druggists. This Bill seeks to amend the Act in the following respects:—

(a) by increasing the fee for inspection of the register to fifty cents.

(b) by increasing the entrance fees for the preliminary and intermediate examinations to five dollars;
(c) by increasing the entrance fee for the final examination to ten dollars;
(d) by increasing the fee for reinsertion of a name in the register to five dollars, and
(e) by providing that the fee for registration as a druggist shall be two dollars and fifty cents.

The increase in everything else has caused these fees to be increased and so that they may equate with other fees charged. I beg to move that Bill be now read a second time.

6.30 p.m.

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

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

On motion of Hon. Dr. H. G. H. CUMMINS, 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.

Clauses 1 to 5 inclusive were called separately and passed.

On motion of Hon. Dr. H. G. H. CUMMINS, 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. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX in each case, the Bill was read a third time and passed.

Re PROCEEDING WITH ORDERS NOS. 1 AND 2

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, you will remember that earlier in the day I said that in view of the fact that Orders No. 1 and 2 were recently circulated we had hesitated to proceed with them. There is also the fact that in any case we propose to send them to Select Committee, so if the Hon. Premier wants to proceed with the second reading of them or if hon. members agree that we can proceed with them and refer them to Select Committee we are quite prepared to do that now.

Mr. BRANCKER: Mr. Speaker, I would like to inform the Leader of the House that I received my documents only last night, and I must confess that I have not had the opportunity of perusing them. I do not favour the suggestion of making the second reading speech now because one is not in a position of making any useful contribution without the opportunity of careful perusal of the documents. If this House is meeting next Thursday—I do not know—perhaps it can be left over until that time when we will all come prepared to deal with them and then they can be referred to Select Committee.

Mr. LEWIS: The hon. Introducer is asking the Hon. Premier to make the second reading speech now and I do not see what special time the person who is to introduce these Bills would need to make a second reading speech when all he has to do is to refer to the "Objects and Reasons." Certainly the hon. members will not object to the hon. member making his second reading speech now, then later on it can be moved and seconded that the matter be postponed for further consideration.

Hon. G. H. ADAMS: Mr. Speaker, I would suggest to hon. members that we should first read this very very important Bill because it is the second time in the history of Barbados that we are giving consideration to the judicial system; the first time being over a hundred years ago. In 1824 a Commission came out here and did a lot to abolish anomalies of the courts then and this is 130 years afterwards that we are trying to do the same thing.

Mr. SPEAKER: Do you mean to say that you agree with the point made by the hon. senior member for St. Lucy.

Hon. G. H. ADAMS: Yes, Sir, I think it is better to accede to the point made by the hon. senior member for St. Lucy and give hon. members a chance to read these Bills first.

Hon. Dr. H. G. H. CUMMINS: This is the end of Government Business for the day.

6.40 p.m.

Re DISMISSAL OF NURSE AT GENERAL HOSPITAL

Mr. SMITH: Mr. Speaker, before you proceed with Private Members Business you will notice at the end of the Order Paper, I gave notice of my intention to move the adjournment of the House to discuss the dismissal of a Nurse at the General Hospital.

Sir, I read in one of the local newspapers that . . . . .

Hon. Dr. H. G. H. CUMMINS: On a point of Order, Sir. The hon member has asked a question dealing with this particular thing and the answer is being prepared, and I do not think that he should proceed with this, but should await the reply. It is only anticipating the Government.

Mr. SMITH: Mr. Speaker, the Hon. Minister said the answer is being prepared. Well Sir, as you know, we are only wasting time asking questions because we do not get any answers. [*Loud cheers*] But, Sir, this is the answer that I have here in my hands; I will read it:

"To Nurse Joyce Vilma Mason,

As you have not been promoted to Staff Nurse Grade or being made a Ward Nurse on March 1, 1956, I regret that I must hand you one month's notice to leave the Hospital on May 31, 1956."

What more reply do you want?

Hon. Dr. H. G. H. CUMMINS: I rise on a point of Order. These are two different methods of approaching the same subject in the same session. Just a few weeks ago the hon. member asked the question and before awaiting the reply of Government, he wants to move an adjournment of the House to proceed with it. I am asking your Honour to rule.

Mr. SPEAKER: I agree with the Minister there is something pertinent on the subject that he is dealing with the same question in two different ways. There is no rule that is pertinent to the question which I am about to resolve; but it is quite obvious to note if the hon. junior member for St. Joseph is allowed to move the motion and usher in debate on a question that is still to be answered by the Government it would be tantamount to bringing in debate before the answer has been given. Normally, any hon. member is allowed to debate any reply to a question, but if the hon. member is allowed to usher in debate now, he is given the privilege of debate before the reply is given, which should not be. I therefore rule the motion for the adjournment out or order. I will repeat. Any hon. member may debate a reply to a question, but if the hon. member is allowed to debate this now, he is given the privilege of debating before the reply is given. As the hon. member does not know what reply would come, he would also have to reply to the answer given by Government. For these two reasons I must rule him

out of order. As a matter of fact, when the hon. member gave notice that he was going to move the adjournment, I was not then mindful of the fact that the question introduced was not answered, otherwise I would have advised him not to do so.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I will try my best to give him an answer next Tuesday.

WORKMEN'S COMPENSATION (AMENDMENT) BILL

Mr. BARROW: In moving the second reading of a Bill to amend the Workmen's Compensation Act,

Mr. SPEAKER: What Bill is the hon. member doing?

Mr. BARROW: I am doing Private Members' Business. The hon. senior member for St. Peter is not in his place and I am doing Order No. 2.

Mr. SPEAKER: You will have to ask leave to do that.

Mr. BARROW: Mr. Speaker, I ask leave to take Order No. 2, of the Private Members' Business as the next Order of the Day.

Hon. Dr. H. G. H. CUMMINS: I am asking..

Mr. SPEAKER: As soon as the question is put there can be no appeal. There can be no discussion whatever as soon as there is objection. The question is that leave be granted the hon. member.

6.50 p.m.

Mr. LEWIS: Mr. Speaker, there is a Rule which says that Private Member's Business must begin when Government Business is over. They have given the hon. member permission ————

Mr. SPEAKER: Allow me to put the question.

Mr. LEWIS: If the first Order of the Day under the Head "Private Member's Business" stands in the name of an hon. member who is not present, then you can proceed with the second Order under that Head, once the Government has finished its business.

Mr. SPEAKER: The question is that leave be granted the hon. senior member for St. George to proceed with Order 2 standing in his name under Private Members' Business. Hon. members in favour of that will please say "Aye", those against will please say "No." I think the "Ayes" have it.

Mr. BARROW: I am willing to withdraw my request if Your Honour intends to call the Order of the Day.

Mr. SPEAKER: I have reviewed my decision. In view of the fact that Governments' Business is at an end, Order No. 1 under "Private Members' Business would be proceeded with. That Order cannot be proceeded with, however, because the hon. junior member for St. Peter, in whose name the Order stands, is not in his place. Order No. 2 would then follow. I was under the impression that the hon. senior member for St. George was asking leave to take Order No. 2 standing in his name, but that Order would follow next. I have therefore revised my decision.

Hon G. H. ADAMS: I am going to tell the hon. member something which might save endless debate.

Mr. SPEAKER: Is the Hon. Premier speaking on a point or Order?

Hon G. H. ADAMS: I am speaking on a point of explanation. I am appealing to the hon. member.

Mr. SPEAKER: The hon. member does not want to hear your appeal.

Hon. G. H. ADAMS: We must vote against this Bill.

Mr. SPEAKER: The first Order of the Day now stands in the name of the hon. senior member for St. George:—To move the second reading of a Bill to amend the Workmen's Compensation Act, 1943.

Mr. BARROW: Mr. Speaker, hanging in the dining room of this House is a portrait of Mr. Joseph Chamberlain who was a Republican, but with him, there was one signal jumping during his Parliamentary career. He was a Conservative at one time, a Liberal at another an advocate of the Workmen's Compensation Act at another time, and he had great opposition in piloting the Workmen's Compensation Bill through the House of Commons in the year 1897. I consider it a great honour in that I should be put in the same political category, or to be subject to the same vicissitudes as Mr. Joseph Chamberlain, if I, in introducing an amendment after ten years of a Labour Government in this Colony, should be subjected to the special obstructionist tactics which prevailed in the House of Commons in 1897. But it is high time that the people in Barbados, whether they choose a miscarriage under one political pseudonym or another, realised that there is no one section of the community which has a monopoly either on intelligence or on the willingness to do something for the good of the people of this island.

To go into the history of the Acts in Great Britain and in Barbados, would not be called for at this stage; but I would like to remind hon. members that in the United Kingdom there is no longer a Workmen's Compensation Act because in 1946, after 50 years of the Workmen's Compensation Acts, the Personal Injuries and the National Insurance Industrial Acts were passed in 1946, and came into operation in 1948 under a Socialist Government. A Workman's Compensation Bill was piloted through this House by Mr. H. W. Reece; after a perennial presentment before this Chamber shortly before election time, after years of agitation by the Democratic League and after the Royal Commission had made recommendations that we should have our Workmen's Compensation Legislation in keeping with the Ontario Act of 1915, under the supervision of the late member for St. Lucy late in the sense that he was not long in this Chamber, and eventually in 1943 we got our Act which is now known as the Workmen's Compensation Act.

This Bill was sent to a Select Committee, it was emasculated in many respects, at least, it was for two years in Select Committee, and in 1950 under the present leaders of the Government, the Bill was amended from the 1943 Act, and in 1951 there was a further amendment to the Act of 1943, Chapter 2. Such has been the history of the Workmen's Compensation Act in this Island.

In introducing these amendments here today, I consider them as a leading step to the complete abolition of the Workmen's Compensation Act in Barbados. That may seem strange coming from one who has always been a disciple of the Act, like Your Honour, the late Mr. C. A. Brathwaite and the late Dr. C. D. O'Neale who fought in the teeth of opposition and lack of support from people who now profess to be acting on behalf of the masses. It sounds very strange that I should look forward in joyful anticipation to the abolition of the Workmen's Compensation Act; I do so because I feel that we should have on our Statute Books in this island, legislation of the nature of the National Insurance Industrial Act which now exists in the United Kingdom. The Workmen's Compensation Acts were very good in their day and there are a lot of financial and other problems involved in the passing of National Insurance Acts. Due to the present low level of employment and the high rate of unemployment in this Colony, it is highly likely that we would be able to

undertake a comprehensive scheme of National Insurance within the next three or five years. We will only be able to do that if the present holders of office are removed from office and other people put in their stead; but at the present rate of progress, it will take 50 years and then it will need another subterranean upheaval before we can get much legislation as a National Insurance Act passed under the present state of affairs.

Without any further historical digression, I would like to explain the amendments, which in the interim period, I feel the people of this Colony would benefit under. I would like to apologise to hon. members for the manner in which the amendments have been worded, but I have done that deliberately because the previous amendments to the Workmen's Compensation Act were worded in the rather roundabout manner in which the present Bill, which we are now discussing, is worded. Therefore, in order to be consistent as far as Workmen's Compensation Acts are concerned, I have decided to follow what is a rather roundabout method of a draft Bill of particular Clauses and sub-Clauses.

If honourable members will take the 1943 Act, as amended by the 1950 Act, Chapter 2, and 1951, Chapter 4, they will see that the particular amendments to the Act are in Section 2, which is the Interpretation Section, and Section 4. Roughly speaking, without itemising them, the amendments are these: In the Interpretation Clause, the definition of "Member of a family" was restricted to wife or husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister.

The first amendment which I propose to make is this: that to the meaning of the term "member of family" the following words should be added. . . .
7.00 p.m.

Hon. G. H. ADAMS: Mr. Speaker, I rise on a point of Order. I am suggesting that this is completely out of Order. The whole purpose of this Bill is to increase the amount payable by employers. That is the whole tenure of this Bill. The honourable member is competely out of Order, because that of necessity, is laying a charge on the Treasury. I am asking Your Honour to rule.

Mr. SPEAKER: My ruling has been asked for. I am unable to make such a ruling to-night. That is a decision which I am unable to give off hand; therefore I am asking the honourable senior member for St. George to defer any further debate on this matter until I have given my ruling.

Mr. BARROW: Are you entitled to hear members on a point of Order.

Mr. SPEAKER: No, Sir, not at this stage.

Mr. TUDOR: But, Mr. Speaker, as I understand it the honourable member——

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

Mr. TUDOR: On a point of Order.

Mr. SPEAKER: I have made a ruling.

Mr. SPEAKER called Orders No. 3, 4 and 5 of Private Members' Business but the honourable senior member for St. Lucy was not ready to proceed with them.

Mr. SPEAKER: Order No. 6 stands in the Order No. 6 is not yet circulated?

Mr. TUDOR: Yes, Sir. And for that reason I shall like to deal with it on the next occasion.
7.10 p.m.

ADDRESS Re BAUXITE MINING OPERATIONS IN CARIBBEAN

Mr. SPEAKER: The next Order stands in the name of the hon. senior member for St. Philip: To move the passing of an Address to His Excellency the Governor relative to the Bauxite Mining Operations in the Caribbean.

Mr. CRAWFORD: Mr. Speaker, I am quite prepared to carry on with this Address, but I understand hon. members said that they have not got copies. If they are willing to accept the text I will proceed.

Mr. SPEAKER: If they have not been printed, I will not allow you to proceed.

Mr. CRAWFORD: If hon. members are prepared to pass Order No. 8, for instance — I see that hon. members on the Government Bench are very anxious to say "no", and I wish they would demonstrate the same expeditiousness to do two things: one is to implement the.....

Mr. SPEAKER: The hon. member is not allowed to proceed, so he has become out of order.

Mr. CRAWFORD: I am only replying to the Government.....

Mr. SPEAKER: There is nothing to reply to.

Mr. CRAWFORD: I am expressing my regret over the fact that I cannot carry on, and that the Government should do two things.

Mr. SPEAKER: This is not the time to do that.

ADJOURNMENT

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that the House do now adjourn until next Tuesday, June 12th, at 3.00 p.m.

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

Mr. TUDOR: Mr. Speaker, speaking on the motion of the adjournment, there is something that puzzles me greatly and it is this: a few moments ago the hon. senior member for St. Joseph interrupted the debate on Private Members' Business on a point of Order, which he had every right to do. We are not quarrelling with that; but Mr. Speaker we are rather wondering whether it could not have been possible for other hon. members to address the House on points of order raised by hon. members.

Mr. SPEAKER: After my ruling?

Mr. TUDOR: Mr. Speaker, listen to me carefully; the hon. member rose on a point of Order asking your ruling which, Mr. Speaker, you have not yet given. I just wanted to know. Sir, (and to assist the Chair which it is our duty to do, it is not an impertinence to address the Chair,) whether hon. members may not speak on points of Order raised by other hon. members.

Mr. SPEAKER: As soon as I make a ruling that is suspended. This is a private Bill which the hon. senior member for St. George introduced, and as soon as I made the ruling, there can be no points of Order raised on that.

Mr. TUDOR: Mr. Speaker, I think the whole House is in sympathy with you.

Mr. SPEAKER: I need no sympathy.

Mr. TUDOR: Mr. Speaker, I think the whole House is in agreement with you with the decision you have given, because you, Sir, must make the final judgment in this matter, but what is puzzling hon. members is whether it is now possible for an hon. member to put a stop to a debate which might be inconvenient for him merely by interposing the request for a ruling from Your Honour, because you will readily appreciate that if an hon. member rises on a point of order which requests a ruling from Your Honour and you there and then on that re-

quest advise the hon. member who was previously on the floor to stop speaking, it means that a request for a ruling made on a point of order will bring the debate to a close and . . . . .

Mr. SPEAKER: My ruling cannot be debated. It is a different thing altogether. It is suspension. It may have to stop, depending on my ruling. My ruling has not yet been given and will not be given at the moment. . . ..

Mr. CRAWFORD: If I may be permitted to say a few words on the motion for the adjournment, the hon. junior member for St. Lucy in my opinion is merely endeavouring to suggest that since Your Honour has intimated that you want to postpone the debate while in your mind you resolve the matter without it in itself being any aspersion on your part, you will require some assistance in the matter or that you intend to go further into it yourself.

Mr. SPEAKER: I need no assistance.

Hon. M. E. COX: Make him withdraw that.

Mr. CRAWFORD: I am not suggesting Mr. Speaker....Perhaps the hon. member who suggests that I should withdraw that—

Mr. SPEAKER: The hon. member must not mind the asides.

Mr. CRAWFORD: What I mean is this. You yourself as Speaker would not claim to be infallible, and therefore you yourself readily would admit that the fact that you postpone your decision on the matter implies that you intend to give it further consideration. The hon. member for St. Lucy, the junior member, merely meant to say that there might be some other member around the Chamber who might be able to assist in endeavouring or in helping Your Honour to resolve the issue.

Mr. SPEAKER: If the Speaker depended on hon. members, he would never get the respect of hon. members. He could never hope to be an impartial Speaker assisted by either side.

Mr. CRAWFORD: I am not suggesting that Your Honour wants a member from either side to tell you what to do. I am only suggesting that some remark may be made in the ensuing debate which might help Your Honour to resolve the issue.

Mr. SPEAKER: My ruling has been made and that is to keep the debate in place.

Mr. CRAWFORD: If I may further extend what I am saying, Sir, the point raised by the hon. junior member for St. Lucy really intrigues me too, because while Your Honour is entitled as any time you so desire to close a debate, since we are directly involved in the carrying on of the debate, I think that we should be allowed some expression of opinion on a matter on which Your Honour is actually postponing debate at the particular time. In this instance.

Mr. SPEAKER: Is the hon. member attempting to thwart my ruling?

Mr. CRAWFORD: I am speaking on the motion for the adjournment and the matter raised by the hon. junior member for St. Lucy. There are certain privileges to which members are entitled in certain circumstances. In this particular matter there was this debate in progress on the Workmen's Compensation Act. The Government elected to be the opposition in this matter, and the hon. senior member for St. Joseph himself suggested that since this Bill might involve in his interpretation some charge on the Treasury....

Mr. SPEAKER: The hon. member is now attempting to debate just what I am being called upon to rule. I cannot allow that to be debated.

Mr. CRAWFORD: I do not want to do that, Sir.

Mr. SPEAKER: The hon. member is saying he would not like to do that but is doing it. If a man says he is not cutting your throat and is actually cutting it, it makes no difference what he says.

7.20 p.m.

Mr. CRAWFORD: My interpretation of the remarks of the hon. senior member for St. Lucy was that he was not attempting to question the province of Your Honour's ruling, but merely to discover for the future what are the rights of members of the House in certain circumstances. There must be two sides of a story.

Mr. SPEAKER: I think the hon. member is bothering too much. The House cannot at this stage go into what has caused me to promise that I will give my ruling. I have deferred my ruling. Learned Judges in the Law defer their rulings.

Mr. CRAWFORD: After listening to Counsel on both sides.

Mr. SPEAKER: In a debating Chamber, there is no Counsel. And there never ever will be. [*Cheers*].

Mr. CRAWFORD: I am not making any special pleading. What worries me is this: are we to understand in future that if an hon. member gets up and says "I want a ruling on a particular matter," no other hon. member is entitled to submit whether or not in his opinion that hon. member is justified in asking for such a ruling? Or is he not entitled to expose the fallacy and the absurdity of the matter of asking for a ruling?

Mr. SPEAKER: Let me resolve all the fears. If that ruling had been asked for by any other hon. member of this House, and I discovered that it was of such a nature that I could not give it now, I would defer my ruling. There is nothing for the hon. member to bother himself about. The nature of the matter is of such that I cannot give a ruling here and now. It does not matter who has asked for a ruling; I am not interested in who has asked for that ruling.

Mr. CRAWFORD: Your Honour can accept my statement that I am not in any way attempting to query Your Honour's attitude or policy in the matter; all I am saying is that this is a debating Chamber, and if there is any matter arising in the course of debate, I take it that all the sides of the matter should be heard. The Opposition should be given a chance to expose the fallacies of any other side of the debate. Since the attitude adopted by the Government is such, the onus should not be put on Your Honour to expose the absurdities and fallacies of the matter, but from the side from which it came; there should be some attempt to refute those absurdities and fallacies.

Mr. SPEAKER: What are the absurdities and fallacies? A ruling has been asked for; is that an absurdity or fallacy?

Mr. LEWIS: On a point of Order. No matter how the hon. member tries to get away from it, he is impliedly questioning the ruling: but it is a Rule that the debate should be stopped while the information asked for is to be given. I think Your Honour has been very generous in the matter.

POST OFFICE IN ST. GEORGE

Mr. BARROW: Speaking on the motion for the adjournment, I would like to draw to the attention of hon. members of this Chamber to the fact that sometime ago, I asked questions of the Hon. Minister in charge of the relative Department as to the possibility of the parishioners of St. George getting better Post Office facilities than those which they now enjoy. I have in my possession certain correspondence

from the Ministry stating that the Government has not got any funds for the purpose of building a Post Office in St. George. That information has been sent on to me by the Churchwarden of the parish and I would like to say in fairness to my colleague that he had received copies of some correspondence, but he has not elected to make any statement in connection with it.

I should like to say that the erection of a Post Office in St. George could not cost more than $10,000 or $12,000, but when the Government can spend $49,000 at one garage and take up decrepit houses, to tell my constituents that they must go to somebody's backyard, I think that is a gross insult to them. I serve notice on the hon. member now that he had better find some money to build that Post Office; if he has not got any money to build a Post Office, then he has not got any money to build a Hospital either, I am asking the Hon. Minister of Communications to retrench his budget so that my constituents can get a Post Office and not suffer the indignity of walking through the mud.

The question that this House do now adjourn until this day week, Tuesday 12th June 1956, *at* 3 *o'clock p.m. was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.*

7.30 p.m.