THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1958

HOUSE OF ASSEMBLY

Wednesday, 3rd June, 1958.

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

PRESENT

His Honour Mr. K. N. R. HUSBANDS *(Speaker)*

Hon. Dr. H. G. H. CUMMINS, M.D., C.M., C.B.E., *(Premier)*, His Honour Mr. L. E. SMITH, J.P., *(Deputy Speaker)*, Hon. R. G. MAPP, *(Minister of Communications, Works and Housing)*, Mr. T. O. BRYAN *(Chairman of Committees)*, Hon. F. E. MILLER *(Minister of Social Services)*, Mr. E. StA. HOLDER, Mr. C. E. TALMA, Mrs. E. E. BOURNE, Mr. J. C. TUDOR, M.A., Hon. D. D. GARNER *(Minister of Agriculture, Lands and Fisheries)*, Mr. H. A. DOWDING M.B.E., Mr. C. B. SEARLES, Mr. L. StA. THORNE and Mr. G. E. S. STRAUGHN.

Prayers were read.

MINUTES

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

DOCUMENT

Mr. SPEAKER: I also have the honour to inform the House that I have received from the parish of St. Peter, the Highway Accounts for the half year ended 31st March, 1958.

PAPERS LAID

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I am commanded to lay the Report on the Barbados Regiment for the year 1956-57.

NOTICES

Hon. R. G. MAPP: On behalf of the Hon. Minister of Trade, Industry and Labour, I beg to give notice of a Bill to provide for the establishment of a Tourist Board charged with the duty of developing the tourist industry in the Island and for matters connected therewith.

QUESTIONS

Mr. L. E. SMITH: Mr. Speaker, I am enquiring of the Hon. Minister of Communications, Works and Housing as follows:-

Is Government aware that the tenants of Branchbury Tenantry in the parish of St. Joseph have been called upon by the owner/owners to sign an agreement for an increase of rent, or to quit.

2. If the answer is in the affirmative, will Government immediately take the necessary steps to purchase the same tenantry for development of a housing area?

BILL READ A FIRST TIME

On the motion of Hon. R. G. MAPP seconded by Hon. F. E. MILLER, the Bill to provide for the establishment of a Tourist Board charged with the duty of developing the tourist industry in the Island and for matters connected therewith, was read a first time.

STATEMENT RE DISPOSAL OF BUSES.

Hon. R. G. MAPP: Mr. Speaker, Before the Orders of the Day are entered upon, I should just like to make this statement. Certain allegations were made in the House of Assembly on Wednesday last, the 28th May, 1958, by the senior member for the City, regarding the methods adopted by the Government in the disposal of a number of buses which had been taken over from certain bus concessionaires in August, 1955. I wish to inform the Honourable House that in August, 1955, by a notice published in the "Barbados Advocate" on the 6th August, 1955, the Government invited applications from persons for carrying on the bus services on the various routes of the Island. As a result of this notice a number of applications was received, and in September, 1956, the Government decided to dispose of 33 of the buses. The details of these transactions which were concluded in March, 1957, and the policy governing the return of 10 buses to the Progressive Bus Company in May 1956, were the subject of questions by the Honourable Junior Member for Christ Church. Replies to these were laid in the House of Assembly on the 30th April, 1957. Reference to those replies will show that the very best possible prices were obtained for the units which were sold, and I am in a position to assure the House that the operators who purchased these buses are up to date with their repayments and with their interest, as laid down in the respective Bills of Sale which govern the transaction.

STATEMENT RE EDUCATION VOTE

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I should also like to make a statement as follows: - A sum of $33,000 has been voted in the current Estimates under Part II - Capital Expenditure - Head VI - Education - Item 6 - to meet the cost of constructing an annex to the St. Christopher Girls' School, a section of which will be open-air.

2. The Ministry of Education has however been advised that if the original plan is followed the pupils will not be afforded complete protection from the weather, especially during the wet season. It is therefore proposed to make the school completely weather-proof.

3. No additional funds will be required.

3.25 p.m.

Mr. SPEAKER: The first Order of the day stands in the name of the Hon. Minister of Trade, Industry and Labour, to move the passing of a Resolution to place the sum of $1,200 at the disposal of the Governor-in-Executive Committee to supplement the Estimates, 1958-59, Part I, Current as shown in the Supplementary Estimate, 1958-59, No. 2 which forms the schedule to the Resolution.

RESOLUTION TO ACQUIRE LAND IN FONTABELLE

Hon. R. G. MAPP: Mr. Speaker, I am asking leave to postpone Order No. 1 and to take Order No. 2 as the first Order of the day.

Mr. SPEAKER: The Hon. Minister is asking leave to postpone Order No. 1 and to take Order No. 2 as the first Order of the day, and unless there be any objection, leave will be granted.

There being no objection leave was granted.

Mr. TALMA: Mr. Speaker, I should like to draw to your attention the fact that I have not received a copy of this Resolution. It is only today that I sent and tried to secure a copy but failed to do so, and I am asking that copies be circulated now and that the matter be dealt with a little later on in the day.

Mr. SPEAKER: I am informed by the Clerk that copies of the Resolution to which the hon. member is now referring have been circulated earlier in the Session.

Hon. R. G. MAPP: This Resolution, as hon. members will see from the Addendum, is to approve the compulsory acquisition of an area of land as set out in the Schedule to the Resolution. This land is situated in Fontabelle, St. Michael, and contains 58,848 sq.ft together with a dwelling house owned by Allan Bourne. The property is named "Lyonville", and I hope that hon. members will be aware of the situation of the property. It is necessary, Mr. Speaker, in order to provide an access road to the north of the rubble bank of the Deep Water Harbour, that we acquire this property through which this road will be constructed. We were informed by the Resident Engineer that the construction was scheduled for the end of March this year and we therefore made steps to negotiate for this property. We considered the price that was being asked for the property exorbitant. We feel that no advantage can be taken for the construction of work such as this being done in the interest of the community. We therefore made a counter offer which was refused by the owner, and we decided to take the matter before the Court and proceeded under this Act to acquire it compulsorily. Hon. members will appreciate, Sir, that it was somewhat imperative that we should get ahead with this work because the contract for the building of this Harbour is for a definite period, and in order that the Harbour will be finished in that time, we could not afford to delay this matter unduly.

Under Section 4 of this Act, members will see that His Excellency the Governor can order work to go ahead on any property even though it is before the Court for compulsory acquisition, so long as the work that is being done is for the purpose for which the property is bought. In this particular case, it is in accordance with what the property is being bought for, and if members visit that site, they will see that we are going ahead with the preparation for the construction of the north rubble bank.

I think, Sir, that the House will agree that in order to protect the community from having to pay excess prices, we must do all in our power to keep prices in that vicinity at a reasonable level, and not to pay any exorbitant price for any property which we may have to acquire.

I beg to move that this Resolution do now pass.

Hon. D. D. GARNER: I beg to second that.

Mr. TALMA: Mr. Speaker, I thoroughly agree with the principle of this Resolution, but I think the Minister should have given us some information as to what price was offered to Mr. Bourne who is now the present owner of this land. We have no doubt that the acquisition of this land is essential and necessary although with this Deep Water Harbour Scheme of which we have been hearing so much for all these years, it is not proving very beneficial in relieving unemployment. If this 58,848 square feet of land is to be acquired together with the dwelling house standing thereon owned by Mr. Allan Bourne, abutting towards the north on lands of Samuel Gibbs, towards the east on the public road, towards the south on lands of W. K. Fergusson, I should like the Minister to tell this House what price was offered and how far negotiations went before they broke down. It would hardly be a secret at this stage now that the negotiations have broken down, because the property is being purchased compulsorily and this is the Resolution under which we proceed. I should like the Minister for our information to state in detail what the offer was in the first place by Mr. Bourne and what was the counter offer made by the Government, and also tell us something of the negotiations which took place with these transactions. In supplying this Chamber with information like that, we would feel more satisfied and be convinced of the necessity of purchasing this land compulsorily and bringing this Resolution before the House.

Hon. R. G. MAPP: Mr. Speaker, this matter is still before the Court, and I should not like now to reveal the various offers that have been made.

Mr. TUDOR: I did not hear that.

Hon. R. G. MAPP: I said that the matter is still before the Court, and I was wondering if the hon. member would still insist in view of that in finding out what offers were made. I can tell him that the owner was asking £8,500 for the property, but I am not prepared to go any further in view of the fact that the Court is now considering the matter.

3.35 p.m.

Mr. TUDOR: Mr. Speaker, while we are grateful to the Hon. Minister in part for letting us know that the owner of the land is asking £8,500, I do not just follow his argument that because the matter is before the Courts he cannot disclose to us what Government is willing to pay. This is an important matter because some members of the House become rather alarmed when matters for compulsory purchase are before the House. Unless full information is given, one is tempted to believe that there is some pressure being put on the owners of land, or the intervention of third parties is such that a reasonable figure cannot be arrived at, and all that sort of thing.

It is difficult to believe that the Government and the owner would not have arranged this matter between them to the satisfaction of both parties. Much can be said for the compulsory purchase of land in certain circumstances but it is inconceivable in this particular case that the matter should have gone so far; therefore, I would like the Hon. Minister to tell us more. He has told us that the matter is before the Court, but I do not

see how he cannot disclose what Government is going to offer. If we knew that and set it alongside what the owner of the land is asking for it, it would be seen if there is justification for the step being taken. Compulsory purchase of land for these projects is good in principle but it is a measure which should only be resorted to in the very last opportunity and when all the means of negotiation have failed. I would like to say that people look at these matters with a lot of suspicion when Government refuses to disclose information such as what we have been asking for.

Hon. R. G. MAPP: May I ask the hon. member what suspicions he has?

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

POSTPONEMENT OF ORDER NO. 3

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Agriculture:- To move the House into Committee on the Bill to make provision for the improvement and conservation of the soil and for the prevention of damage or deterioration by erosion to land in certain areas of the island and for matters connected therewith.

Hon. D. D. GARNER: In view of the fact that the amendments of this Bill have not been printed, I am asking leave to postpone this Order.

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

RATES OF INCOME TAX BILL, 1958

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier: Second reading of a Bill to settle the rates of Income Tax for the year 1958.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this Bill is the usual Bill which appears here every year in respect of rates for Income Tax. The rates have not been altered; they are the same and I do not think there is anything further to add. Therefore, I beg to move that the Bill be now read a second time.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirma- without division.

On motion of Hon. Dr. CUMMINS, seconded by Hon. D. D. GARNER, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BRYAN being in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

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

Hon. D. D. GARNER: I beg to second that.

Mr. TALMA: Mr. Chairman, before you put the question, I want to say that although these are identical rates to those which obtained last year, yet my contention is that with the present high cost of living, with the recent increases in the cost of living more especially since the Federal Elections and since April, 1958, and with the all-round increases, I suggest that the rates should be lowered in respect of a single man with an income of $720 per annum and in case of a married couple with an income of over $1,300 per annum. I am suggesting that for the first $500 of taxable income, instead of the rate being 3% that it should be 1%. If the present Labour Government is so anxious to assist the working class people, there is no point giving increases of salaries and wages and handing it out with one hand and taking it back with the other.

My contention is that the taxable income is too small in the first place and then the rate, as far as the lower bracket is concerned, is too high because for the average single man to live on $60 a month today is no easy problem or for a married couple to live on roughly $100 a month is no easy matter. Sir, although I have only got this Bill within the last few minutes and have not had the time to study it, I want to say that it is not a Bill which should be allowed to pass like that. Income tax affects everybody's pockets and with the P.A.Y.E. System, deductions are made from week to week or month to month. With the present high cost of living, for us to maintain and retain these rates is in my opinion doing this community a great injustice especially the people in the lower income tax brackets.

Sir, I am hoping that there would be some reduction in the rates, at least in the rates for the first thousand dollars of taxable income. If the present Premier is anxious to help the working class people he can do something tangible in this case. I am suggesting that the rate on the first five hundred dollars of taxable income instead of being three percent. Sir I agree with the principle that everybody should pay something, but what I am saying is that $60 a month today is more or less equivalent to $20 ten years ago, and $100 a month today is probably about $40 or $50 a few years ago. 3.45 p.m.

To expect the average working-man to pay rent, to pay bus fares and to pay, with the high cost of living as it is today, income tax out of $60 a month and over and above that to pay income tax at the rate of 3% on the first $500 of taxable income and 12% on the first $1,000 and so on, I say that these income tax rates are iniquitous and they are working a hardship on the people in the lower brackets. As regards the ones who are the big business-men or those who own plantations and who make a profit of $40,000 or $50,000 a year, it is hard to take away one-half of the profits from them, but they are left with $20,000 or $25,000 and they live on that. I hope the Reporters are reporting me correctly; I am saying that as to the big merchants or the planters who make a big income profit of $40,000 or $50,000 every year, for them to pay $20,000 in income tax is hard; but although that is hard for them, and although it would be hard for me and although these rates are iniquitous, yet these persons are left with $20,000 to spend; but in the case of the man who earns $120 a month and he has to pay income tax on anything over $60 a month - in that case with the high cost of living and the high house rent and bus fares and the high cost of essential commodities, this Labour Government will be well advised to see that the least strain is placed on the people in the lower brackets and not have income tax collected each year as it has been collected for the last few years, as far as I remember - I expect it is customary, because I have not had the time to study the Bill - the income tax has yielded $5 million or $6 million or more in revenue. It all depends on the crop, of course, but this year we should yield an amount in that vicinity, if not quite as much. I am saying that the Government in its policy of collecting as much revenue as possible is not paying due attention to the people in the lower brackets, the ones who have to pay on the first $500 and the ones who have to pay on the first $1,000. I am not suggesting a one-sided revision; as a Labourite, I would think of the people in the lower brackets first; I feel that some consideration should be given to the ones in the lower brackets especially now that we have the P.A.Y.E. system. The hardships are meted out to people weekly or monthly according to the wages they earn and unless something is done and done quickly, any amount of harm will continue to be perpetrated against the very class of persons whom the Labour Government claims to represent and whom it claims to lift from the gutter.

to the Act such as the one which has been introduced by the Minister of Agriculture today.

I, therefore, beg to move that the further consideration of this Bill be postponed.

Mr. BRANCKER: Mr. Speaker, in seconding that motion which I now formally do, I would like to say this: until the Hon. Introducer of this Bill spoke and rambled on it, nobody thought that it savoured strongly of hasty legislation. For some reason or other, the Government seems to be stampeding an amendment to the Beach Protection Act which has lasted us for 60 odd years. In the Objects and Reasons, at the very commencement, one observes this: "Removal of sand in large quantities from the beaches in this island is now so widespread that not only is it detracting from the natural beauty of the beaches, but it is also endangering the safety of fishing boats and properties adjoining the beaches....." No reason, however, is given for the removal of sand in large quantities. Normally, it would be expected that if it was known to the Police that the law was being broken, and that the Act was being honoured more in the breach than in the observance, one would have urged that steps be taken to have the law amended. If people had been prosecuted and it was proved that breaches of the law were continuing despite the prosecutions, one would say that the penalty imposed by the original Bill was inadequate. One would certainly not be justified in following one of the most iniquitous sections in the Police Magistrate's Act and doing something which is even much worse than what Section 9 of that Act attemps to do --- the Section which says:

"Every person who shall be brought before a Police Magistrate, charged with having in his possession or conveying in any manner anything which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an account to the satisfaction of such Magistrate as to how he came by the same shall be liable to be imprisoned with or without hard labour for any term not exceeding two months, or to pay a fine not exceeding ten pounds."

All one has to do is to account to the Magistrate's satisfaction that which he feels is true even if he himself does not believe it is true; but when it comes to this Section which this Bill proposes, this goes very much further without any justification for going so far. This Bill says:

"In any proceedings against any person under this Act, the burden of proving that the removal of sand, stones, shingle or gravel was for domestic purposes shall lie on the person charged and unless the contrary is shown it shall be assumed that such removal was not for domestic purposes."

In other words, that is the French system of jurisprudence and something more severe than you can find even in the French Law. I do not think that this Bill should be passed in this form. There is a Beach Protection Committee appointed by this same House some years ago; I should like to know if that Committee has met and reported; and if it has reported, what has become of the Report or if it has made recommendations what has become of the recommendations. I am quite sure that the Hon. Minister in charge of this Bill would use the offices of another Minister to make enquiries of the Permanent Secretary, in case he himself does not know what has become of that Report.

Apart from the question of a person being required to prove his innocence beyond all reasonable doubt, there is the question of the penalty to be imposed. In the past, the maximum was £5 and £10 respectively, in Section 2, Subsections (1) and (3) respectively; but in this Bill, the maximum is now $250. This will give a Magistrate the impression that the maximum for this offence is too small and that they must start with something more than $48. The point raised by the hon. junior member for St. John is a sound one; the people against whom this jurisdiction will be used will be the constituents of the hon. senior member for Christ Church. Those are the people who will be prosecuted. With this penalty, you must bear in mind that people will be losing the temporary right of appeal which they now have. By the end of next month the Police Magistrates Jurisdiction and Procedure Bill will be in force and there will no longer be the automatic right of appeal. A Magistrate in a heat of temper or of ignorance might impose a penalty, the Assistant Court of Appeal will be out of existence and the automatic right of appeal will be abolished.

Here there is a Bill which gives the Magistrate the power of imposing a maximum penalty of $250 and it bears little relation to more serious offences for which a lower maximum has been created.

6.25 p.m.

It would be interesting, Mr. Speaker, to hear what really are the reasons for the introduction of this Bill in the month of April of this year, when the first reason given in the Objects and Reasons is that the removal of sand on beaches has been widespread in this island. Is it to be understood that all this sand is being removed without Law Enforcement Officers being able to take steps? There is all this widespread removal from the beaches, and yet we do not hear of a single prosecution! The Ministers themselves have a more than adequate travelling allowance and one would expect them to drive around in the public's interest; one would expect them to come across cases which they might well have reported to the Police of breaches of this Act being committed; but nothing like this has been brought to light, and there is no justification for this hasty legislation. Even people who represent the parishes of St. George and St. Thomas should realise that although this matter does not affect their constituencies and they do not stand to lose any support as a result of approving of this Bill, it is not in the best interest of the community of the eleven parishes of this island.

Now, Sir, I trust that the Hon. Minister has listened to the hon. senior member for St. Philip on the questions he has posed. Where are we to get sand in future for building? Has the Government any ideas on this subject? We know on other subjects of their complete barrenness of ideas and their sterility of imagination. In this particular case, I want to inquire whether in view of this proposal to rush this Bill through, they have any ideas for builders, and I see opposite me one of the foremost builders of this island; at least, he is or was, perhaps connected with one of the leading firms of building contractors, and one wonders where he would get sand from. I want to know for the benefit of the community where we would get sand for building purposes if we cannot afford to retain any of the big firms which might have the power to get it for us.

One other point to consider is whether beach protection or preservation is not a point which we should consider in a comprehensive Bill. There is nothing more hideous than to drive through certain areas of the island - and I have in mind the parish of St. James - and to pass one of the most beautiful beaches which can only be seen through barbed wire. It is time that Government took steps to safeguard such beaches for the public of this island. A beach like Sandy Lane Beach should be purchased by Government for people on the Leeward coast. It should not be allowed to remain the property of private owners where all one can see is a beautiful beach beyond, and only barbed wire to hide, obscure and disfigure the entire scenery. Let the Government reconsider this whole Bill, agree to the motion which has been made, and which I have formally seconded, of further consideration being postponed, and then let them come back in due course of time enriched by the ideas which we have put forward. We are giving them all the ideas, suggestions and recommendations which we know they stand sorely in need of, and if they came back with a Bill embodying our suggestions, we would not tell them "We told you so" or "We knew you would not have thought of it yourself," because it is in the interest of the people of this

Hon. D. D. GARNER: I am not going to be long, Mr. Speaker, because I have heard quite a lot of abuse and irregularities which have nothing at all to do with the Bill before us. I expected to hear from the hon. member for St. John who has just come in, things on a very high level and constructive criticism; but what did I hear? There was nothing but suspicion; he even suspected his very colleague. He let it run away with him so much that he incriminated

his very colleague.

Mr. BARROW: Mr. Speaker, I object to the remarks made by the hon. member. If he did not understand what I was saying, that is no fault of mine. I do not think that anybody accused the hon. member of anything, not even of ignorance, nor did I suspect anybody. I said that this has left a lot of room for corruption.

Hon. D. D. GARNER: Mr. Speaker, the hon. senior member for Christ Church got up and took exception to the remarks he made.

Mr. SPEAKER: After the hon. member has spoken, the hon. senior member for Christ Church made appropriate explanations to the House.

Hon. D. D. GARNER: That , Sir, was by the way. The hon. member made accusations and insinuations and went on to speak about who went to secondary schools and Universities. Nobody over here suffers from any complex, and if a fellow was fortunate enough to get a secondary or University education, that is his business. It is not good for people when they have come from the gutter and got to this position to try and throw aspersions on other people; that is no criterion. Some of the biggest people in the world never went to secondary schools. That is a display of inferior complex and only small minds do that. I expected to hear from the hon. member for St. John something lofty.

Mr. BARROW: Mr. Speaker, I am sorry to interrupt the hon. member, but I must rise on a point of personal explanation. Mr. Speaker, you sat there very patiently and did not interrupt me, and listened to everything I had to say. Could anyone say that I did not make a constructive suggestion or that I criticised somebody who did not go to a University or was tainted with original sin? If there is any question of complexes, the complexes are not effected on this side of the House at all or in the Chair.
6.35 p.m.

Hon. D. D. GARNER: Mr. Speaker, I contend that this Bill is long overdue and even hon. members of the Opposition Bench have said in their remarks that it is overdue, it is a good Bill, and all that sort of thing. When it comes to the Bill not being properly drafted, and what the hon. member junior member for St. John has said, that is a matter for the Attorney General and people like the hon. member who are lawyers. I formulate the policy and the legal draughtsman puts in legal language what policy we are going to pursue. It is not surprising to me to hear the heresies by the hon. junior member for St. John who says that somebody else is not good enough to do this or that. In the last elections he said so about Mr. Chenery: so that is nothing new.

Mr. SPEAKER: I do not think the House is interested in anything about heresies which happen outside of this House and I will only ask the Hon. Minister to continue along the lines of replying to what the hon. junior member for St. John said. Do not be over concerned about the manner of the hon. member.

Mr. BARROW: Mr. Speaker, I rise on the point of personal explanation. The only heresy that I experienced from the last election is that the Hon. Minister went inside a polling station in Station in St John.

Mr. SPEAKER: The hon. member will not be allowed to bring that up.

Hon. D.D. GARNER: Mr. Speaker, the hon. member was at pains to point out that the Police shut their eyes to certain things. Under the present law, you cannot take away a bucket of sand from a prohibited beach and we are now making it possible for the people to get it without any fear or favour. A policeman has not got to wink his eye now; this is making it absolutely legal. This is giving the people the right to do it. We are all Barbadians, and after all is said and done we are going to live here as long as the world lasts. You know your magistrates and your policemen and you know what obtains everywhere. Why put a different interpretation from what is meant in the Act because somebody feels so? This Bill is brought down for the purpose of preventing lorry owners from taking away large quantities of sand from certain beaches thereby making Barbados an ugly scene. (A VOICE: It is not tight enough.) Sir, if I had brought it tighter than what it is, you would hear them getting up and saying: "Oh, you are making it too tight." Although the law as it stands at present prevents them from getting it and what we are going is giving them the right to get it, - - - - - - -

Mr. BARROW: Mr. Speaker, I rise on a point of order. I do not know of their being given the right to get it because no where in the Objects and Reasons does he say that you can get a bag of sand.

Hon. D. D. GARNER: Mr. Speaker, this amendment to the Act is a good one, It is seeking to protect the beaches and with all the fun which the Opposition is making at it, they know that this is the right thing to do. As to the fine of $250 there is nothing wrong with it. That is a deterrent. When you take people to the magistrate he is going to use his discretion. This is a fine deterrent; therefore we think this Bill is fair and just, and we intend to pursue it.

I was making some notes while some hon. members were speaking and there were two hon. members who asked the question: where would the people get sand when we pass this Bill? It was clearly stated that an Order would be issued closing certain beaches and opening others; therefore, when one beach is closed, another one would be opened for a given period. I think that I was at pains to point out during my opening remarks that not only would it be advertised in the newspapers as to what beaches would be closed but posters would be put up- and I think I should inform the House that there is a Beach Committee which would be operating and, as a matter of fact, that Committee has already been selected. It comprised of the Director of Public Works, the Harbour Master, the Director of Highways and Transport, the Director of Agriculture and a representative of beachowners.

Mr. BRANKER: Mr. Speaker, I rise on a point of explanation. I was not asking who are the personnel of the Committee; I asked when the Committee ever made or presented a Report or made recommendations.

Hon. D. D. GARNER: On that point I would just like to say that even the hon. member's colleague, the hon. senior member for Christ Church, admitted that he did certain things and asked certain questions; but apart from that, we have on the file many letters from people who reside in this Island pointing out the dangerous consequences which may arise if sand is allowed to be taken from certain beaches in vast quantities as they are now taken. I hope the hon. senior member for Christ Church knows this because quite recently I have been to the Silver Sands beach and I think he will agree with me that there is a certain point right by the rock where people go and get sand from easily and the sea, instead of building up more resistance, the water is making escape from the place where the people have taken away the sand, and the water is going under the people's houses. I can call names of people who visited that spot and saw that: and therefore when you say that the people's houses are not being washed away through the removal of sand, that is a full time joke.
6.45 p.m.

I do not think I should argue this point over and over again, because even the former Minister praised the principle of the Bill, and I was at pains to look through the files which I have before me to see what action he took on it. That I am not going to disclose; I emphasise that I am not going to disclose that.

Mr. TALMA: On a point of explanation. The Hon. Minister has an unfortunate way of attempting to influence people and members of the House that he always has some secret up his sleeve and if he exposes it, total ruin will befall somebody. When he exposes everything, however, it will redound to my credit.

Hon. D. D. GARNER: I do not think that the hon. member heard what I said; I said that I am not going to disclose the action which he took on the Bill. I did not say that I am

going to expose it. I have been paying a lot of attention to this matter. Before I sit down, I should like to say this: if hon. members will visit the beaches at Foul Bay or the Crane, they will see how shabby they look; not only the beaches up there, but the beaches in other places as well. If I am not mistaken, this amendment is only an amendment to a wider Bill which will come down to this House. We have had legislation from Jamaica and from other places and we are going to follow up that legislation; but we have to do something to stop this dislocation of beaches.

I do not know to what extent it will be, but I do not think that we will do what Canute did, that is, to set up groynes all over the place, so as to stop the water from coming in. I do not think we will do that. As to the Government making more accessible roads to the beaches, I should like to tell this House that we have that matter under active consideration, and we will buy some spots and hon. members may be asked to approve of certain things. We have made a move in that direction; we want to secure the beaches for the use of the people of this colony and we do not intend, as some of the opponents to the Tourist Industry think, to keep exclusive beaches for people who come to these shores. We intend to see that any Barbadian, as well as any visitor who comes to these shores, will be able to get sea bathing as he desires. We will see that proper entrances to the beaches are made and if we have to buy property, we will do that.

I hope that the hon. junior member for St. Lucy is satisfied with the reply which I have made as to the availability of the beaches. When one place is closed, the other place will be opened; but if rapid deterioration has begun, we must take some steps to stop it. With all the high-falutin language which you may use, we have beaches which we find have been spoiled and have deteriorated and have become almost dangerous: and we, as simple, ordinary Barbadian folk, want to stop that. Although it may cause some inconvenience to some people, well, you must have some inconvenience if you want to get anywhere. We want to get the people from the United Nations to help us with our production and, in our producing more, the people will be getting more. We intended to pursue that policy ever since, but the production must be more. Do not let us mix the beaches with the land.

I do not think I can say anything more on this Bill. I do hope that the Official Opposition will realise that we would like to have constructive criticism and comment from them; we welcome that. I am a born fighter. We do not want to stifle any debate; I want to tell my friends, if I might refer to them in that way, that they can offer suggestions and criticisms in a laudible way, but they should not throw aspersions and epithets at us at all. That is not the work of the Opposition.

Finally, I close on this note. With your permission, Mr. Speaker, I should like to say that I, too, was a member of the Opposition, and I am sure that it does no good when you go home at night and turn on your pillow and find out how many people you have hurt; it prevents you from sleeping if you have a conscience. On the other hand, if the people realise that you have to offer something more than abuse, you may succeed. If you have a name for abuse, you will all go into blinding oblivion. I do commend this Bill, not only to hon. members of this House, but to the people of Barbados. I ask them to see that they take sweet pride in keeping their beaches clean and I will appeal to the lorry owners and drivers who may like to make a mess of things to see that we are working in the interest of the protection of the beaches.

Mr. MOTTLEY: Mr. Speaker, I am speaking on the motion for the postponement. I should like to say that if you live by the sword, you will die by the sword. The Hon. Minister has replied calmly to the hon. senior member for Christ Church and the hon. junior member for St. Lucy. He has appealed to us to be reasonable. Well, I think that having heard the motion made for the postponement, the Hon. Minister would have said this: "if something appears to be reasonable, we will say that it is reasonable. You want to be fair to hon. members and if you agree to the principle of a Bill, you should say: "Let us go into Committee on it and when we come to a particular Section, we will postpone it and see if we can put in something which is more worthwhile than what appears in the Bill." But if the hon. member displays the attitude which he is displaying, then I will vote to throw out this Bill.

Of course, I know that the Crown Law Officer has drafted this Bill, but is it not my duty to bring my commonsense to bear on it?

6.55 p.m.

According to the Objects and Reasons there is the removal of sand in large quantities from the beaches. The hon. member said that this Bill is giving people the right to remove sand in buckets which they did not have before. Of course, that might have been a slip, because they always enjoyed the right of doing that. Why is the hon. member so unreasonable on this? There must be some hon. members over there who can see the point I am making. At the beginning of the Objects and Reasons you have said that there is the removal of sand in large quantities from the beaches, but you have now said that sand can be removed for domestic purposes although you have not limited the quantity. Are you assuming that people who go to the beach and remove sand for domestic purposes in pails will still do that if you allow this to go through? I pointed out that if people went to the beach and took away sand to case a well, they would be liable to a fine of $250 under this Act. Would I pass something like this? On the other hand, as the Act stands, I can take a lorry and carry sand home and put it in my yard for the purpose of sanding my cow-pen according to this. I do not care who is the Attorney General that drafted this.

Hon. D. D. GARNER: On a point of order. The hon. member is waxing warm. This is so simple. There will be an Order pointing out which beaches are closed and which are not. When the hon. member speaks about a lorry load of sand for domestic use, no Barbadian with his correct intellect will be able to think that is correct.

Mr. MOTTLEY: There is no man in this House for whom I have a stronger feeling than the hon. member who has just sat down, and maybe that is the reason why I am waxing warm. What is the closing of a beach to do with anything I have said about this Bill? You have said that there is the removal of sand in large quantities, but you want to prevent that by saying that people can remove sand for domestic purposes. You have said that the expression "domestic purposes" shall not include the purposes of constructing , repairing or altering any building or other structure whatsoever. In the low lying areas where people live near the beaches and they go in for kitchen gardening or build earthen pits, they will remove sand for the purpose of constructing. Do not mind the Attorney General; you are Barbadians. Under this Act those people will be liable to a fine of $250. What is that to do with whether or not you close a beach? If a person removes sand for that purpose, unless God is the Magistrate, he will be convicted on that. I can carry a truck and remove ten loads of sand and put it anywhere, but so long as I am not using it for that purpose, I can go in the Box and say I am not using it for construction. As a matter of fact, I can remove it and not use it at all. Surely the hon. member must see something in that. Let us pass the principle and adjourn, and you can take it back to the Attorney General who is bound to see our point, unless he wants to make a paradise for the lawyers to walk through.

I will support the principle of the Bill; it is a good Bill. I am not a Draughtsman, but you will have to put in an amendment here. In the Bay Land, Kensington, Westbury areas, people go to the beach and remove sand in pails for the purpose of what they call sealing wells; that is construction and the fine for that offence is $250. But I or any Minister can go and remove sand in a truck and put it wherever we like, and we do not pay a cent, because it is for domestic purposes. Can any reasonable Government not see anything wrong with that? Is it possible for people not to see a reasonable argument? I am nothing to do with personalities; I am in favour with the principle of the Bill as far as the beauty of the beaches are concerned.

Hon. D. D. GARNER: On a point of order, I should like to appeal to the hon. member to let us pass the Bill. We will not go into Committee and I will investigate what he has said.

Mr. MOTTLEY: Will you pass the second reading and then postpone further consideration?

Hon. D. D. GARNER: Yes.

Mr. MOTTLEY: As far as I am concerned, one swallow does not make a summer. I will accept the hon. member's word. (Mr. TUDOR: That is confusing.) It is not a matter of confusing; I have my own way of doing things. Hon. members over here said that they are in favour of the Bill. There is nothing wrong if you are going to postpone this after the second reading, but if you attempt to do anything further when the Opposition is out, you will get the lid of this blown off. As a matter of fact, I have never associated the Premier of this Island with such action, and if you adopt the attitude of passing this when the Opposition is out, there will always be another time. Since the hon. member has suggested that if we pass the second reading he will not go into Committee on the Bill tonight, but will take our arguments back to the Attorney General, I will support the Bill.

Mr. DOWDING: Mr. Speaker, I will not be long, but it is important that I should register my reasons for supporting the postponement. The argument raised by some hon. members is a strong one, and one which I mentioned in my opening speech. The removal of sand for domestic purposes is the danger point in this Bill.
7.05 p.m.
This Bill is an important Bill. The principle is right and I will defend the principle on another occasion against others who do not agree with it, but the Bill does not achieve what it aims at in our opinion. I want it to be clearly understood that while I agree with the principle, the use for domestic purposes as is presently worded is in my opinion not clear enough and I said so at the beginning. I see no reason to change my mind. I hope we will be given the opportunity to look further into this matter. Mr. Speaker, I intend to vote at this stage for the second reading, but I hope we would have the opportunity of going into the matter further.

The question that further consideration of the Bill be postponed was put and resolved in the negative, the House dividing as follows:—

Ayes: Mr. Tudor, Mr. Talma, Mr. Barrow, Mr. Crawford, and Mr. Brancker -5.

Noes: Mr. Bryan, Hon. D. D. Garner, Hon. Dr. H. G. H. Cummins, Hon. R. G. Mapp. Hon. F. E. Miller, Mr. Straughan, Mr. Holder, Mrs. Bourne, Mr. Thorne, Mr. Searles, Mr. T. W. Miller, Mr. L. E. Smith, Mr. F G. Smith, Mr. Dowding and Mr. Mottley -15.

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

THE ADJOURNMENT

Hon. DR. H. G. H. CUMMINS: Mr. Speaker, I beg to move that this House be now adjourned for half an hour.

Hon. D. D. GARNER: I beg to second that.

Mr. MOTTLEY: Mr. Speaker, before you put the motion, let me ask for what are you really adjourning?

Hon. DR. H.G.H. CUMMINS: Mr. Speaker, I am asking leave of the House to withdraw that motion and I now beg to move that this House do now adjourn until Tuesday next 10th June, 1958, at 3 o'clock p.m.

Hon. D. D. GARNER: I beg to second that.

Mr. CRAWFORD: Mr. Speaker, before you put the question, I just want to say that I certainly thought that some time might have been given today for Private Members' Business, because I would have taken advantage of that to deal with an address on the Order Paper. Since the adjournment has been moved I would make a few brief remarks on the matter to which I would have dealt with under Private Members' Business.

Mr. SPEAKER: If the hon. member had given the slightest intimation I would have accommodated him.

Mr. CRAWFORD: I had no idea that the House would have been adjourned now.

Mr. SPEAKER: I am sure the hon member is aware of the conditions of adjournment.

Mr. CRAWFORD: No! No! I never had any idea the House would have adjourned now because the Government itself has other business on the Order Paper.

Mr. SPEAKER: I would like to inform the hon. member that matters on the Order Paper cannot be done on a motion for the adjournment.

The question that the House do now adjourn until Tuesday next was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.

7.15 p.m.