

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1959

HOUSE OF ASSEMBLY

Tuesday, 12th May, 1959.

Pursuant to the adjournment the House of Assembly met at 12 noon today.

PRESENT

His Honour Mr. K. N. R. HUSBANDS (*Speaker*); Mr. J. E. T. BRANCKER, (*Leader of the Opposition*); Hon. Dr. H. G. H. CUMMINS, C.B.E., M.D., C.M., (*Premier*); Hon. M. E. COX, (*Minister of Trade, Industry and Labour*); His Honour Mr. L. E. SMITH, J.P. (*Deputy Speaker*); Hon. R. G. MAPP, (*Minister of Communications, Works and Housing*); Mr. F. C. GODDARD; Mr. C. E. TALMA; Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. H. A. DOWDING, M.B.E.; Mr. C. B. SEARLES; Hon. L. St A THORNE, (*Minister of Education*); Mr. J. W. CORBIN; 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 meeting held on 5th May have been printed and circulated amongst hon. members and unless there be any objection, these Minutes will be taken as read and confirmed.

There being no objection, these Minutes are taken as read and confirmed.

I have the honour to inform the House that I have received a Statement of Revenue and Expenditure for the half year ended 31st March, 1959 from the Commissioners of Highways for the parish of St. George.

Also in connection with Tenantry Roads from the Commissioners of the said parish, I have received a Statement of Revenue and Expenditure for the half year ended 31st March, 1959.

GOVERNMENT NOTICES

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

A Bill to amend and consolidate the law relating to currency and to implement an Agreement to provide for a uniform currency in the Eastern Group of the British Caribbean Territories.

PRIVATE MEMBERS' NOTICES

Mr. TALMA: Mr. Speaker, I beg to give notice of the following Resolution:-

WHEREAS the present price of land is fantastic and entirely out of proportion to the economy of the island;

AND WHEREAS it is found extremely difficult, if not impossible, for the underprivileged class to acquire land for building or agricultural purposes;

AND WHEREAS the Government has recently introduced legislation having for its object the ceiling of land values;

BE IT RESOLVED that the Government enter into immediate negotiations with a view to the acquisition of at least one plantation in each of the parishes of St. Peter, St. James, St. Thomas, St. Philip and Christ Church for the establishment of Co-operative Farms, and for providing Building Lots at economic prices for the working and middle classes.

QUESTIONS

Mr. DOWDING: To enquire of the appropriate Minister:-

1. Whether he is aware that disaster has struck farmers who irrigate their lands in California, Texas, Louisiana and Hawaii by fresh water wells having turned salt, due to the great overdraft on the underground resources pulling in sea water; and whether he has taken, or will take the necessary steps to ensure that a similar disaster does not occur in Barbados?

Also, to enquire of the appropriate Minister:-

Whether he is aware that the Director of Agriculture is permanent Chairman of no less than seven different Committees, as well as being a member of others; and whether he will release the Director of Agriculture from these extra duties, in order that he may devote all of his time and efforts to his primary task - namely, the improvement of Agriculture in the island?

Also, to enquire of the appropriate Minister:-

Is he aware that there are a number of boys and girls in the island who are anxious to study such careers as Printing, Photography, Air Conditioning, Radio Engineering, Refrigeration, Hair Dressing, Beauty Culture, etc., for which no training is available locally; and that these youngsters are anxious to go overseas in order to obtain the necessary training, and whether he would take the necessary steps to initiate a scheme to grant assistance to these youngsters, either by way of grants or loans, to *bona fide* applicants?
12.25 p.m.

To enquire of the Appropriate Minister:- Is he aware that the present arrangements for combating the effects of a hurricane are inadequate and insufficient, and will he take the necessary steps to initiate an island wide co-ordinated scheme which would provide the inhabitants of the island with the necessary services before, during and after a hurricane?

To enquire of the Appropriate Minister:-

Whether there are any monies due to persons, remaining in the Re-habilitation Fund, and whether he will cause a list of these persons' names and the amount due them to be put in the newspapers?

To enquire of the Appropriate Minister:-

Whether there are any posts on the staff of the Department of Agriculture which are vacant at present; and what steps he has taken to ascertain that these posts are filled immediately?

To enquire of the Appropriate Minister:-

Whether he is aware of the pressing need, and increasing demands by householders throughout the island for their own water supply; and whether he will cause a survey to be made and a plan drawn up for extending the water mains to all householders over a period of time?

To enquire of the Appropriate Minister:-

Whether he is aware of the great danger to the health of the people in the island and the hazard to agricultural workers (particularly cane cutters and loaders) caused by the dumping of empty tins, bottles and other refuse in cane fields and hedgerows and whether he is aware that this dumping is done in many instances by persons who remove the refuse from one Parish and dump it in another, and consequently will the Minister institute the necessary measures to have this refuse collected from the source by a Central Government Organisation or by awarding a contract for the purpose.

To enquire of the Appropriate Minister:-

Whether he is aware of the urgent need for technical training in Agriculture particularly in the growing of sugar cane, and whether he will take the necessary steps to initiate a scheme to train personnel in such things as cultivation, superintending, overseeing, animal husbandry etc., etc., at the Pine under the control of the Technical Institute.

To enquire of the Appropriate Minister:-

Whether he intends to cause the purchase of more tractors to plough for peasants and if not, will he contract with any tractor owners who may have units available for this purpose, or whether he will make loans available immediately for this purpose in order that peasants throughout the island may get their lands ploughed now, before the coming of the rainy season.

BILL READ A FIRST TIME

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX, the Bill to amend and consolidate the law relating to currency and to implement an Agreement to provide for a uniform currency in the Eastern Group of the British Caribbean Territories was read a first time.

Mr. SEARLES APPOINTED TO ACT AS CHAIRMAN OF COMMITTEES

Hon. M. E. COX: Mr. Speaker, I beg to move that the hon. junior member for St. James be appointed to act as Chairman of Committees for today's sitting.

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

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

Mr. BRYAN GRANTED FOUR WEEKS OF ABSENCE

Hon. M. E. COX: Mr. Speaker, before you call the Orders of the Day, I ask for four weeks leave of absence for the hon. junior member for St. Michael as from today.

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

ORDERS Nos. 1 & 2 POSTPONED

Hon. M. E. COX: Mr. Speaker, there are three Items under Order No. 1 and I am asking that that Order be postponed.

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

Hon. M. E. COX: Sir, I am also asking leave to postpone Order No. 2, and to proceed with Order No. 3.

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

CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT)

No. 5, ORDER, 1959.

Mr. SPEAKER: The first Order of the Day now stands in the name of the Hon. Premier: To move the passing of the following Resolution: Resolution to approve the Civil Establishment (General) (Amendment) (No. 5) Order, 1959.

Hon. Dr. H. G. H. CUMMINS: Sir, Order No. 3 deals with the Civil Establishment (General) (Amendment) (No. 5) Order, 1959, which deals with the Police in certain grades as was recommended by Mr. Godsall.

It will be remembered that the Godsall Report dealt with the Police in two stages as regards certain officers from Inspectors up, exclusive of the Commissioner. One side of his recommendation was for the granting of certain increases for the Police on the present Establishment, and that was done.

12.35 p.m.

The second step was the creation of certain posts. One was to create the post of Senior Superintendent, to reduce the number of Superintendents and to re-create the post of Assistant Superintendent. Hon. members will remember that this post of Assistant Superintendent was instituted some years ago, it existed for some time and then it was decided to abolish the post and have all Superintendents; but as a result of Mr. Godsall's recommendations, these posts were re-created and suitable salaries were also recommended. Mr. Godsall also made certain recommendations in connection with the Inspector Grade. When we continued the post of Chief Inspector, certain salaries were recommended for him and also for other Inspectors, but after we abolished the post of Senior Inspector then there had to be instituted a grade of salary which would be applicable to all Inspectors. There was also an increase made in the number of Inspectors and it is that phase of the matter which is now before this House.

The Government has decided to establish the post of Senior Superintendent, to decrease the number of Superintendents and create posts of Assistants. The Government has also decided to abolish the post of Chief Inspector and it is these salaries which are now before this House. In addition to that, I should like to say at this stage that this Order No. 5 which deals with an Amendment to the Civil Establishment Order, was introduced a couple of weeks ago and before we could deal with it, an amendment to this Amendment Order No. 5 was introduced. When I come to deal with this latter amendment I will explain just what has happened. In connection with the Order which is before us now, there are also certain proposals for increases in Staff. Hon. members will see that there are also decreases in Staff. The Commissioner remains at (1), the Deputy Commissioner and Senior Superintendent (1) Director of Music (1) and the Superintendents have been reduced from (5) to (3). The post of Chief Inspector has been abolished and the number of Inspectors will be increased by one. In reality the increase is one, but if you abolish the office of Chief Inspector that will leave the number of Inspectors at (7). There is also the post of Inspector of Weights and Measures which is a new post which is being created, and will be included in the list. The number of Station Sergeants will be increased from (17) to (20); the number of Sergeants from (22) to (27); the number of Corporals from (78) to (84); Constables from (442) to (457) and the whole Establishment from (575) to (608). Many of these increases in staff are due to the fact that Seawell Airport has now been put on an international basis and it must be operated for 24 hours a day. With the increased amount of work at Seawell, there is also an increase in staff which is included for the Airport in this Order. As far as the staff at the Airport is concerned, there will be one Sergeant, two Corporals and seven Constables because of the improved status of the Airport. As I said before, Seawell is now an international Airport and it must therefore be operated on a 24 hour-a-day basis.

With regard to the other increases in staff, they are also due to natural causes. The increase of population, increases in the work of policemen and the question of emigration will also take more staff. There is, therefore, a general increase in the Police Establishment of the island. There was also the post of Director of Music filled and the rank of Superintendent which is now proposed.....

Mr. TUDOR: On a point of order. I am wondering whether the substance of what the Premier is now dealing with, is in Order No. 9 on the Order Paper, Order No. 3, or both. There seems to be some confusion on this side as to what Order is being dealt with.

Hon. Dr. H. G. H. CUMMINS: We are now dealing with Order No. 3 on the Order Paper and it is an amendment to the Civil Establishment (General) (Amendment) (No. 5) Order, 1959.

Mr. TUDOR: I do not want to detain the Hon. Premier, but it did appear to us as if he was dealing with Order No. 9 which is a Resolution to approve the Civil Establishment (General) (Amendment) (No. 5) (Amendment) Order, 1959, which has a fairly long Addendum.

Hon. Dr. H. G. H. CUMMINS: Order No. 9 is an amendment to the Order which we are now considering. It is an amendment to this Amendment Order No. 5 and I said that when I come to deal with that Order I will give an explanation as to why there was an amendment to the Amendment Order. If Your Honour does not object, perhaps I could give the explanation now for the purpose of clarification as to why it is necessary to have this amendment to the Amendment Order No. 5. It is simply this: As I said earlier, Mr. Godsall in his proposals recommended two things as far as the Inspectorate is concerned: 12.45 p.m.

"If you retain the post of Chief Inspector, here are the salaries I recommend for the Chief Inspector and the Inspectors; if you abolish the office of Chief Inspector" - as we have done - "here are the salaries I recommend for Inspectors." It was an oversight on the part of the Government when dealing with that recommendation after deciding to abolish the office of Chief Inspector to adopt the salary as recommended for the Inspectors. It was graded an increment below that recommended by Godsall, and when it was brought to the Government's notice, this Order which we are considering now had already come down to the House, and therefore the only thing that could be done was to bring an amendment to No. 5 Order. In short, we will have to pass the Order which we are now considering and then deal with the amendment to it.

In considering the numbers and increase in the establishment of Police, I think I have covered the ground fairly well, and at this stage, I beg to move that this Resolution do now pass.

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

Mr. BRANCKER: Mr. Speaker, we do not view this Resolution with any disfavour, but the weakness of it is that the proposed increases are obviously inadequate.

The Constables whom it is proposed to increase from 442 to 457 - that is by 15 - certainly cannot meet the present day demands required of the personnel of the Force. After all, Sir, it is only in very important instances that a senior member of the Establishment is required. The person on multifarious duties and occasions whose presence is essential, is sought for and is telephoned for is the Constable, and it is clear if, as it certainly was a fact two weeks ago when I first put my question - there has been some attempted adjustment since then - Constables have to remain continuously on duty, certainly in the rural districts, from my personal knowledge for as long as twelve hours

Hon. Dr. H. G. H. CUMMINS: On a point of order, I do not think it is proper in my opinion for the hon. member to deal with that at this stage. If you will remember, Sir, the hon. member has asked questions on that point, and I am sure that in due course the answer will be coming down to him; so he is, so to speak, anticipating the replies of the Government on that point.

Mr. SPEAKER: The hon. member is still discussing the Bill.

Hon. Dr. H. G. H. CUMMINS: As Your Honour pleases.

Mr. BRANCKER: Mr. Speaker, I have complete confidence that you can see an obvious point or even those points which are not so clear.

There is a proposal to increase by 15 the number of Constables; I am speaking on that and I am saying that I agree with the increase, but this increase proposed is, in my view - because of the knowledge I have and my experience of local conditions - insufficient. We will support it because 15 is better than none, but we need fifty rather than fifteen in order that these overworked employees of Government can be given reasonable and adequate opportunity for a rest. The senior officers, of course, are people who only on rare occasions one has to take recourse to, but with the rank and file, whom one calls on every conceivable occasion, fifteen more, in my view, will not sufficiently alleviate the state of affairs which certainly is crying out for amelioration.

Now, Sir, as to the proposal for the creation of the post of Senior Superintendent, I wonder if it is logical to create a Senior Superintendent and at the same time to be dispensing with the Chief Inspector to the Inspectors. It does not seem to me to make very much sense, but there may be some good reason other than the intention to help a particular person who feels that he should have got promoted to Deputy Commissioner and to give him the post of Senior Superintendent. My first thought is that the Senior Superintendent was created because an officer who had expected - and not without justification - to be made Deputy Commissioner had been overlooked and this post was created in order to relieve his feelings.

As to the post of Assistant Superintendent, I suppose what will happen is this: we have had an Assistant Superintendent before; the Commissioner in whose regime the post was created disapproved of that, and the result was that we ceased to have an Assistant Superintendent. Now I understand the present Commissioner is enthusiastic about these Assistants, and we find that it is proposed to provide for four of such. I would not be surprised when another change is made that you will have another Commissioner of Police decrying the necessity for this rank and the Legislature will be seeking again to abolish it. It does not make any difference to me; but you know there was the fear at one time - and we had to voice it in this Chamber - that the reason for instituting the post of Assistant Superintendent was to provide some promotion for local people who were intended to go thus far and no further in the hierarchy of this Establishment. Of course, the Commissioners will realise that that cannot obtain in these days, but we would like them also to realise that there is no reason why the post of Commissioner and Deputy Commissioner, so far as one can judge by the manner in which it is filled, could be regarded as a post only for some one of European appearance. We might as well let it be known, just as the idea that an Assistant Superintendent should be the highest post for a coloured man in the force now that we have Superintendents, that the post of Deputy Commissioner and Commissioner are equally posts which should be regarded not only in theory but in actual practice as open to coloured people, or people of any other appearance.

Now, Sir, I notice that it is proposed by this regulation to increase the salary of the Deputy Commissioner to \$600 a month by \$40; he will thereby be getting a salary higher than that paid to many trained, highly qualified and experienced professional men in this island. I merely point out that in passing.

The increase proposed for the Director of Music is an increase which so far as the office is concerned, I am sure everyone in Barbados will support, because if you were to take a vote throughout this island, a plebiscite, as to the most popular, the most liked and generally appreciated public official in this island, there would be no doubt about it that Captain Raison would win on an overwhelming majority. There is hardly anyone in the country districts who would not vote for him for taking the Police

Band not merely in a perfunctory or routine way to the rural areas throughout the length and breadth of this island, but for the enthusiasm and the keenness which he puts into the job, which he does when he takes that very excellent institution and its very efficient personnel all over the length and breadth of this island.

12.55 p.m.

None of us would cavil at the proposed salary increases for these officers, and certainly the Director of Music. He deserves that, and more than that, for the good which he is doing in not merely entertaining the people of this island and providing them with a little pleasant recreation during the course of the year, but for the increased public appreciation of music which he has engendered throughout the length and breadth of this island.

Sir, I am wondering if the present Commissioner and the Hon. Premier considered, when this subject matter was under review, the re-institution of the ranks of Lance Corporal and Lance Sergeant in the Force. The re-institution of the rank of Lance Corporal is promotion for those Constables who cannot attain the rank of Corporal, and for that Constable who desires to be higher than a Private but who is not regarded as just good enough to be promoted to the rank of Corporal; and the re-institution of the rank of Lance Sergeant would be promotion for those Corporals who cannot attain the rank of Sergeant but who deserve promotion from Corporal. I am wondering if the Hon. Premier would let us know whether the re-institution of these posts came up for review, and if they did, the reason when making these changes to decide against their restoration.

One must congratulate these higher paid officials, at least those who apparently would be getting back-pay from April, 1956. When we come to deal with the up-grading of the Inspectors' salary, the Hon. Premier more or less explained that it was laid down by Mr. Godsall to abolish the post of Chief Inspector and to give more money to the Inspectors. Now, that is all well and good; but when you are dealing with money and you are not giving more money to the men below, you need not be surprised if these people at the bottom are not satisfied and they continue to leave the Force in the comparatively large numbers in which they are leaving or are about to leave or contemplating leaving unless legislation comes in before the next election year to give them an adequate increase in their substantial salary.

As I have said, we do not propose to oppose the Resolution, but there are these points of view which are recommended and which I am stressing. I hope the Hon. Premier would let us know particularly whether any reconsideration was given to the re-institution of the ranks of Lance Corporal and Lance Sergeant.

Mr. GODDARD: Mr. Speaker, like the last hon. member who spoke, I will start with the Constables first. I, personally, feel that the increase of fifteen is too small in number today. It is not a matter that crime is increasing, but we are passing a lot of duties on to the Police from this House. Every Tuesday that we meet in here and make any Regulations, no special provision is made for the carrying out of these laws other than through the Police. They have duties in Barbados that would normally be done by other Departments in other countries, and that is one of the reasons which makes it appear that we have a large Police Force in relation to the number of our population. It is on account of the number of duties which they do and which are not done by Police in other countries.

It is indicated today that the expansion of the Airport would call for more Police there. With respect to the Immigration Department there, everyone has been criticising the length of time passengers have to wait as there is only one stream to deal with the incoming passengers. Today, planes are getting bigger and bigger and I look forward to the not too far future when 100 passengers would be coming to Barbados by one plane; so that you have to see to it that things are streamlined; and rather than have one stream of immigration, you should have two, three or four streams to meet the growing demands. Of course, it will take personnel, and if you are saying that it comes under the Police, then you will have to see to it that you get more policemen. You cannot have other duties neglected just to shift these policemen around.

I do not know how many Constables the Commissioner of Police asked for, but I believe that he did ask for more than these fifteen because this number seems to be inadequate. The other ranks such as Sergeants and Corporals are in relation to the number of Constables.

One of the best things we did was to separate the post of Director of Music from that of Inspector. Formerly Director of Music was an Inspector. The change was made sometime ago and that was the right thing to do. The holder of this post is really a Director of Music and not only has he achieved a high standard of music by the Police Band, but he also encourages music all through the island. Today, we have the Barbados Orchestra which he conducts, and I am sure that those who have heard it are amazed at the improvements which it has made during the three years of its existence. People like him must be adequately remunerated and I do not think anyone would begrudge adequate increase for people who are really pulling their weight.

As the Hon. Premier said, this revision was recommended by Mr. Godsall in 1956 and in the course of the remarks, he said that it was an oversight that it was not done before.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, on a point of order, I did not say that it was on account of any oversight that it was not done before. What I did say with reference to any oversight was relating to the fixing of the salary of Inspectors. That was an oversight and that is why we have these amendments to amend the Civil Establishment No. 5 Order.

1.05 p.m.

Mr. GODDARD: Well, I thank the hon. member for repeating it again because in the Godsall Report a recommendation was made that if you accepted his recommendation, the Chief Inspector would get so much. In other words, it was dependent upon the action of the Government as to what they decided and that was three years ago. What I am saying is this; the Inspectors concerned must have drawn the matter to the attention of the Government, not today, but some long time ago; because if the matter had affected any other part of the Civil Service, it would have been drawn to their attention in a matter of months following. It must have been a very long and bitter barter between the persons concerned, because salaries are being fixed at this present moment; these people could not be forgotten any longer and so the Government had to come down at this present moment with this Order. They could naturally say that other people had built a row about their anomalies and everyone had to be adequately recompensed as from today; that is why this legislation is being back-dated. I quite agree with it but I am amazed that it was not fixed before now. The Government had to go back and fix salaries, and three years after a recommendation had been made to them, it could not be put down purely as an oversight. I am sure that the persons involved in this matter must have made application to the Government for an adjustment of their salaries. That is all I am saying.

As I have said, I quite agree with this Resolution, but I do hope that the Government will see that if the Commissioner says that there should be a greater number of constables to do the work efficiently, there should not be any penny-pinching in that direction. There are a vast number of new duties being thrown on the Police Daily and the Police Constables have to do them.

Mr. STRAUGHN: Mr. Speaker, I have one comment to make on the Resolution which comment could perhaps be put in the form of a question; probably the Hon. Premier might be able to throw some light on it. I am wondering whether between the post of Superintendent and Sergeant in the Police Band, there could not be one of these new Superintendents or Inspectors. The reason for my observation is that when anyone has to act for the Director of Music, who is a Superintendent, I notice that it is a Sergeant who is doing this acting. I have heard a number of bouquets being showered on the Director of Music which are well justified, and I am certain that the Director himself, being a conscientious man, would be very willing to pass on some of these bouquets for the success of the Band to some of his subordinates. I am wondering if there is not another anomaly that where you have someone acting for the Director of Music, he is a Sergeant. Normally

I take the opportunity of discussing, as far as I can, these matters with the officers who are involved, but I have not had that chance this time and I am wondering if the Premier has that information to hand. Now that we are talking about this wonderful work of the Director of Music, I wonder if we should not pay some attention to the establishment of the Police Band itself; if there is going to be promotion of some sort, we should see that the post of Assistant Superintendent or Inspector is created in the Police Band.

Mr. TUDOR: Lest the hon. member should appear to be alone or to be singing a solo in this matter, I want to say that for once I want to support him in this issue. When this Resolution was first circulated I wondered immediately why it was that no consideration was given to the creation of the post of Assistant Director of Music in the Police Band. I have not got any particular person in mind; it is just this, that the Police Force has one branch of the Establishment which has a specialised job to perform; that is the one branch which springs to my mind whose work is readily appreciated. It is hard work, and indeed it involves not only the customary routine work but superimposed is the technical work of music. The Senior Officer in the Police Band is not only a Police Officer as such, but he is also a technician who must bring his Band up to scratch at all times.

As my colleague, the hon. junior member for St. Lucy has said, nobody could withhold general praise from Captain Raison, but it is not difficult to see that the strain on him personally must be terrific in order to organise and execute such a vast range of musical programmes all up and down the length and breadth of this island. He is worth his money and perhaps even more than we give him although I am glad to see that adjustments were made in his and in other cases. But the point is that if the Band is to be kept up to its customary technical scratch, if it is to continue to do its work all over this island, then consideration will have to be given to posts of a similar nature to that of the Director of Music himself and the holders of these posts, whoever they are, if the posts are created, must not only be responsible Police Officers but also musicians of experience and quality. I do not think we ought to accept the idea that because the Band itself does less exacting ordinary Police duties than other branches of the Police Establishment, it can be ignored a little longer. I think a case has been made out for the creation of one or possibly two senior posts in the Police Band which is dependent upon its experience and musicianship. In addition to that, I would like to say that good as the Police Band is, and useful as it is in raising the cultural standard of the people of this island, it should be made much better for young Bandsmen to get the impression that any particular talent which they have for musicianship will be recognised and rewarded.

1.15 p.m.

By that a man would be able to rise in the Band not only because of long service but because of his particular gift of musicianship and how well he executes his particular instrument. That ought to be the policy to be followed, but that, perhaps, may come in time, for the immediate issue is, I think, the creation of the post of Assistant Director of Music, permanently so, and then perhaps another post slightly under that with less seniority and a little less emoluments so that the Band itself will have its own separate establishment as a routine matter and not dependent on shifts and changes in the personnel or numbers of the Police Force generally. If we admit, as we all do, the mere existence of the Police Band with its present high standard of music and the enjoyment which it gives to many today, then we ought to spare no pains to put it on the most proper footing; and without, as I said, pleading a case of particular individuals, I think it is sufficient to draw the attention of Government to the fact that the Band as a Band really plays its part, and that posts in it and the arrangement of these posts ought to be subjected to the very best possible scrutiny, and that nothing should be lacking to make the band properly established and its personnel thoroughly satisfied, which can be done in the shortest possible time.

I should therefore like to impress upon Government that while we welcome on this side what is being done for

the Director of Music himself, we would like to see under him the creation of senior posts dependent, as I said, on period of service and musicianship.

Mr. MOTTLEY: Mr. Speaker, I too, would like to subscribe to the views expressed by the last hon. member, but I wonder why this was so long in coming. As a matter of fact, from 1956 until now must have created some unrest, uncertainty and suspicion in the minds of the people to whom we look most for protection in this country. I am very glad to see, however, that the Government has at long last recognised these anomalies and the recommendations made, because I myself know there was definitely an undercurrent going through the Police Department which did not speak well in the interest of discipline and the maintenance of order, because with the top-ranking officers such as you have put here, with the loss of confidence, one would appreciate what would happen at the bottom. I do appreciate that this has come, but one wonders if there is some motive which may be described as ulterior for bringing it at this particular time. I am sure that we are all looking forward to seeing more of these coming to the House at this time because last week, as you will recall, we dealt with some, and I understand today you have actually postponed others and there are more in the offing to come down.

Last week when we were dealing with the Teachers at Government-aided secondary schools, you will recall that I mentioned then that there were certain anomalies in respect of elementary teachers and teachers at modern secondary schools for which nothing had been done, but I notice that after protest which has been made and the pressure which apparently seems to have been brought upon the Government - I hope I am right in saying that there has been some postponement - that Government has decided, and I agree with them, to bring about the settling or straightening out of anomalies in respect of teachers at the Government-aided secondary schools; but there were anomalies in the salaries for teachers at elementary schools which, I am sure you will agree, needed recognition by the Government at the very earliest stage, if not earlier than those of the secondary teachers.

In the case of the Police, I am indeed very happy to see that the Government has at last stopped wrangling over it with the petty spite and jealousy - because one or two people wanted to hurt one or two top officials in the Police Force - and they have at last given way to reason and justice and have been able to come down and settle these anomalies. I feel, like the hon. member who spoke last, that there must be some incentive to our men - at least those with ability - for promotion, and I am sure that as things look today that incentive will present itself.

I am happy to support the Resolution but I am hoping that in the not distant future the other anomalies will be put right. I am sure that you can never have a revision of any sort unless you have anomalies; it is impossible; but when you have anomalies, then people must face them. Government must face them and you should never have that petty spite and wrangling because somebody feels that some particular branch or section of a community is not with a particular Party or Government or is opposed to a particular individual in Government. Those days should be over.

Mr. DOWDING: Mr. Speaker, the Government cannot escape censure on this occasion. The delay that has taken place in this matter is one of great seriousness. The Police Force of this island should be dealt with in a fair manner; and if it were the intention, as is obvious now, of the Government to increase these salaries, it should have been done much earlier. This means that during the past two years or more these particular officers have not been receiving their full emoluments, and therefore the taxpayers in turn have not been receiving the full benefit from these officers as if they were well paid. I think, Sir, that it is a serious matter that our Police Force should be left in abeyance in matters of their pay, and I sincerely hope that this will not occur again. It does not seem to me that it can be merely an oversight, and I do hope that all the necessary anomalies in the Force will be straightened out immediately.

I have heard, Mr. Speaker, of persons who are opposed to the Party and this, that and the other. I do not believe in bringing that sort of thing into a debate unless I am willing to stand on my feet and say who the person is and what the facts are. It is regrettable that our Force should be subject to any rumours even in this Honourable House. It is not good enough for the standard of debate in this Honourable House, and I hope we will be seeing the day soon that when hon. members have anything to say to the detriment of any person they will be willing to call names and produce the facts. (Hon. R. G. MAPP: Hear! Hear!) Be careful! Yours is coming fairly soon and I will call names too.

I feel, Sir, that all members around this Table appreciate the good work which the Police Band has done, but I agree with the hon. senior member for St. Lucy that there is scope in that Band for another senior appointment. It must be realised that if the senior man is good, then the Band is also good, but it must also be realised that he must have the co-operation and support of the men under him in order that the Band may be good. I feel that this Band is deserving of further recognition and that it should have at least one senior post along with the Director. If any of us has experienced the good which this Band is doing throughout the island, if any of us has been present at any of the functions held at the various institutions and has seen with his own eyes the pleasure coming to inmates, I feel that he would be only too happy to support any increase in this Band.

1.25 p.m.

But I also feel that there is a tendency in an organisation which has only one senior man who is above the rest by far for that organisation to be liable to a certain amount of confusion lower down. I recommend strongly that the Government consider having another senior man closer to the Director thereby giving more continuity along the line in the Police Band. I do hope, Sir, that our Police Band will continue to go from better to better and that the Government will give it every assistance.

Mr. CORBIN: Mr. Speaker, I am glad to say that I now have the opportunity of seeing what the Governor said from the Throne in his Speech has come into operation. He said then. "My Government are aware that there has been some increase in the cost of living since the last salaries revision and have under consideration measures to grant some relief to the lower paid employees of Government."

Mr. SPEAKER: The hon. member is making reference of something which refers to another Order before us.

Mr. CORBIN: I am referring to the Civil Establishment (General) (Amendment) (No. 5) Order, 1959, concerning policemen. I am glad to see that the Government has taken steps to increase the salary of these poor people such as teachers and all like those and Policemen especially who have to walk up and down without the use of a vehicle to carry out their duties. When I see the low wages which they receive, it shocks my modesty, because I know they cannot meet the cost of living today. The cost of living of certain people today is 30% and the materials 40% and on account of that they could never reach payment for them. I am sure the small increase which they are going to get will yet make it hard for them to meet their demands. I hope Government will consider these poor people and increase their wages so that they would be able to give proper satisfaction in their duties. They are working unwillingly because of the low wages they are receiving.

Mr. SPEAKER: Again, I must point out to the hon. member that the Order before us is Order No. 3 on the Order Paper which deals with the Civil Establishment (General) (Amendment) (No. 5) Order, which deals with Police.

Mr. CORBIN: I am dealing with the Police especially.

Mr. SPEAKER: That Order deals with the Police specifically but the hon. member seems to be rather general.

Mr. CORBIN: I hope the Policemen would be more satisfied with the greater increase given to them.

Hon. Dr. H. G. H. CUMMINS: Sir, I will answer the last point first. This point was repeated by the last hon. member who spoke as well as by other hon. members. I repeat, Sir, that this is not a Salaries Revision as far as the Police are concerned. I am at pains to say that. This is implementing the Godsall Report and I thought that that was understood by every hon. member. I repeat it because there are hon. members who think that this is a Salaries Revision and are pleading the cause of Policemen below the rank of Inspector. This is a recommendation of Mr. Godsall with which we are now dealing.

There are one or two other points which I want to answer. The hon. senior member for the City referred to Anomalies. It is no anomaly; it is back pay. This is a recommendation by Mr. Godsall which the Government now seeks to implement. (Mr. MOTTLEY: After three years? Yes; it may be even after six years. If the hon. member had read the Resolution, he would see that it does not matter if it is three years or six years. It is backdated. (Mr. MOTTLEY: This is spite work.) I do not know where the spite work comes from. This Government has nothing to do with the Police. I happen to be a member of the Police Board but that Board does not deal with personnel.

Mr. MOTTLEY: Mr. Speaker, I have never or neither would I be so ignorant of accusing the Government of having anything to do with the Police. I never inferred that. I am sorry that the Hon. Premier misconstrued me. In my speech I said that it took three years to give them this increase and after three years of wrangling and certain Ministers opposing it, the Government has now seen the wisdom of bringing this Resolution down.

Hon. Dr. H. G. H. CUMMINS: The Hon. Leader of the Opposition referred to the ranks of Lance Corporal and Lance Sergeant. I wish to tell him that it was never referred to me or to the Government that we should re-instate these ranks; therefore, when he asked that question why these ranks were not reinstated, that is the answer. The Head of the Police Force never asked that these ranks be re-instituted.

Certain hon. members spoke of the Police Band and especially with regard to the Sergeant in charge, the man who substitutes for the Director of Music when he is sick or absent on leave. Well, I think that the Public in general wants to see that the status of that officer be raised and I am able to tell this House that that point has not been lost sight of. (Applause.) I think that the status of that officer will be raised in the near future.

1.35 p.m.

I do not think that there is anything more which would be answered. The hon. junior member for Christ Church has again referred to the question of emigration at Seawell. For his information I will say that if these increases are granted we will see to it that there is also an increase in respect of the Emigration Officers operating at Seawell. I think that those are the main points which have been made.

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

Stark
TOWN AND COUNTRY DEVELOPMENT PLANNING

(INTERIM CONTROL) BILL

Hon. M. E. COX: Mr. Speaker, I am asking leave that we revert to Order No. 2 as the next Order of the Day.

Mr. DOWDING: Mr. Speaker, I must object to this manner of going backwards and forwards on the Order Paper unless there is a good reason for doing that. What is Order No. 1, should be dealt with, what is Order No. 2 and Order No. 3 should be dealt with and we should go in that manner.

Mr. SPEAKER: The Hon. Leader of the House said that these Orders were temporarily postponed. The Hon. Minister said that this Order was postponed because the files were not to hand.

Hon. M. E. COX: I do not know if the hon. member would like to advise the Government as to how it should conduct its business.

Mr. SPEAKER: The matter need not reach that stage at all.

Hon. M. E. COX: I hinted that it was only a question of a temporary postponement because the Hon. Minister did not have his files. I said that, instead of holding up the House to get the files, we would consider the next Order of the Day.

Mr. DOWDING: Mr. Speaker, I am at least grateful that, at this stage, we have an explanation as to why this Order was postponed.

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Communications, Works and Housing:- To move the Second Reading of a Bill to make provision for the Interim Control of the development of land.

Hon. R. G. MAPP: Mr. Speaker, the history of Town and Country Planning Legislation in this island has been one of abortive attempts. For one reason or another, the idea of Town and Country Planning has never caught on in Barbados; indeed it has been anathema to Barbados on the whole. I was rather amused in reading the debate which took place in this House in 1947 on a Resolution to allocate money to cover the cost of printing the Report of the Architect and Town Planner, Mr. DeSyllas; I was amused at the comments which were made on that side of the House. The then Leader of the Opposition said that a financial crisis was facing the island, that money would be wasted in printing pretty booklets which would be of little use to the population, and in spite of the pleas made by the then Leader of the House, Mr. Adams, as he was then, that we should have these colour plans and of his pointing out the dangers of overcrowding, traffic congestion, traffic density and things of that sort, in spite of the pleas of the Hon. Leader of the House, the efforts of the Opposition prevailed and the Resolution was consequently withdrawn. However, it was typical of the attitude of the island as a whole towards anything called planning.

I think that that was a great pity because most hon. members are aware of the terrific problems which are now confronting us with regard to the land used in this island, the lot of building projects and the traffic problems. Hon. members will agree that a lot of these problems could have been avoided and lessened if we had some effort at Town and Country Planning in this island. In that year, the Town Planning Adviser to the Comptroller for Development and Welfare wrote this:

"It is hardly necessary to argue the need for town planning control in a city so obviously out of hand as Bridgetown: continued *laissez-faire* development will result in increasingly unsocial living conditions and increasingly expensive corrective measures. The survey maps also show that in some respects, effective town planning measures would not be too difficult or too expensive to achieve. Preventive legislation and a forward-looking planning scheme are urgently needed at this time when so many building projects, public and private, are about to begin."

He foretold what would happen if town planning legislation was not introduced. That was in 1947. It was the year in which the Town and Country Planning Bill was passed in this House and not continued with in the Other Place because of the fact that too many people believed that this Town and Country Planning Legislation presented many difficulties and it did not suit Barbados. We have gone on in a haphazard manner, and I think that most people will agree, especially now that the Deep Water Harbour is being constructed, that we should deal with this matter and have some sort of Town and Country planning in this island. I do not think that most hon. members would remember the DeSyllas Report, but it would be very useful if we were to refer to that Report on Bridgetown. Mr. DeSyllas made a very comprehensive Report and I think it is well worth while to quote some passages from it. Mr. DeSyllas commented thus on Bridgetown:-

"Like many an English seaport or market town, Bridgetown has grown haphazardly, with little sign of conscious

arrangement. About a hundred years ago, in the days of expanding British industry and overseas trade, the city began to grow rapidly. It grew in a piecemeal way, rather irresponsibly; so that the narrow streets and lanes of a small township today make shift for the traffic routes of a busy commercial city. Its growth continued uncontrolled, until it became the present labyrinth of bustling streets and nudging buildings, where over 70,000 people strive to live and work."

1.45 p.m.

He then pointed out the faults. He said "the most obvious faults are the congested streets, incapable of dealing with modern traffic; confused interlocking of commercial, industrial and housing areas; 'over-building' and overcrowding; serious shortage of public open spaces, including school playgrounds, parks and gardens; complicated problems of traffic control, policing and servicing; and -- a more recent development of the motor transport age -- an unkempt suburban sprawl, devoid of any sense of community." He points out that "the criterion in the most recent developments is almost invariably speculative value - seldom community need. Developments have usually been sporadic, following the main traffic roads or sprinkled over large tracts of suburban land, often of high agricultural fertility.

This situation has been typical of unplanned towns all over the world. It has become a serious problem in Bridgetown, already congested and overgrown, where as yet not even the simplest form of planning control exists."

He then went on to argue the need for planning and preservation of certain features of Bridgetown. In paragraph 6 he speaks of the "expansion of the town", and again, Sir, it is worth quoting in the light of the Local Government Bill which covers Bridgetown up to what was formerly Christ Church. He wrote as follows:-

"The control of Bridgetown's growth is a serious problem; its solution becomes increasingly urgent. The city boundary was revised as recently as 1931, but urban development has already overleapt it. It is an arbitrary line without administrative significance. The densely built up areas of Bridgetown extend into the countryside of St. Michael and Christ Church. When the statutory town planning scheme is being worked out, the time will be ripe for reviewing the city boundary, in conjunction with schemes for local government re-organisation. The creation of the Bridgetown City Council, will no doubt be studied at this time."

He pointed out that "the population of Bridgetown is contained within an arc of about 2 1/2 miles radius from Trafalgar Square, extending from Spring Gardens on the St. James coast to Rendezvous Road in Rockley. The fact that Bridgetown is administered by two parishes and has no administrative city boundary of its own makes it difficult to study the rate of growth of the urban population."

As I said already, Mr. DeSyllas emphasised that Bridgetown had sprawled out not only to the boundary of St. James but as far as Rockley in Christ Church; but indeed we have seen a change in the boundary line with the City of Bridgetown being what it is today. He also pointed out that the growing density of population and the movement from rural areas into the urban areas would create increasing difficulties in town planning.

I think, Sir, that with the passage of time and the improvement of ideas, people in Barbados today have become planning - conscious and do realise the need for planning of some sort; and the House as a whole welcomed the insertion in the Estimates of an item providing for a Town Planner. As we know, that Town Planner arrived late last year and has been very actively engaged preparing for his Town and Country Planning duty.

Now, Sir, members will see that this Bill is not a comprehensive Town and Country Planning Bill; legislation of that sort is bound to take some time because it is difficult legislation, and obviously we have to give the Town and Country Planning Officer some time to look

around and come to his own conclusions, so that he can advise Government as well as he should on the lines which such Town and Country Planning legislation should follow. This is, therefore, Mr. Speaker, an interim measure designed to control development in this island and land use in general in Barbados. It is an interim control measure which will go out of operation as soon as the Town and Country Planning Bill comes into effect. Since the Town and Country Planning Officer has been here, he has been engaged in carrying out a comprehensive survey of the existing patterns of land use in this island and of the fiscal, economic and social conditions which exist, because any Town and Country Planner must take into account all those features which fit into the problem of Town and Country Planning today.

Planning today, Sir, is a feature of all Governments. I think that most of those members in this House who might have studied the efforts of planning in Puerto Rico will realise to what extent Governments - and especially the Government of Puerto Rico - have gone in planning. At the recent Caribbean Conference in Port of Spain, I think in 1956, Dr. Pico who attended the Conference, and with whom most of us are familiar, told the Conference that planning paid not only in better results but in more economic projects, and most of us will agree. Those of us who have followed the efforts of broad comprehensive planning will agree with Dr. Pico that it has paid off. Puerto Rico found that by planning on a comprehensive scale, by planning not only fiscally, not only along the physical lines but economically - and going forward on a broad plan, the country benefited as a whole, private enterprise benefited, the public benefited, everybody benefited. It is true that in doing so Puerto Rico has spent fairly large sums of money, but they have saved much bigger sums by having things work on a co-ordinated, comprehensive plan.

1.55 p.m.

At the Conference we adopted the following definition of the role of Town and Country Development Planning: "the role of Town and Country Development Planning is to guide the development of the total resources of a country on a world-wide regional and local basis whether by private or public endeavour so that the best use is made of these resources for the well-being of the people."

I believe that this principle of planning, Mr. Speaker, is now uppermost and now triumphant in this area, and it is accepted that the property and rights of individuals should be subjected to certain restrictions in the interest of the public. However, it is one feature of the idea of planning which is bound to run up against and to meet with a lot of resistance from the people because it particularly sets out what an individual should do and what he should not do, and it particularly states that we cannot do this or that and that you cannot build or develop your own property as you think fit. I think that people in Barbados will be hard to accept that idea, but they must be made to realise that in the interest of the community as a whole there should be some restrictions as to how you should develop your own property.

Now, Sir, as hon. members will see from the Bill --

Mr. MOTTLEY: Mr. Speaker, I rise on a point of order. I know it is two o'clock now but I just want to say this. We got this Bill on Friday last. Having only got it on Friday last, I want to intimate to the Hon. Minister in charge that he only make his second reading speech on it today as we obtained it too late to have the opportunity of going further into it although we have read it. As the Hon. Minister knows, it is a very important Bill and I go as far as to say that I think most hon. members welcome it.

Mr. SPEAKER: That is too much of a lengthy explanation at this time.

Hon. R. G. MAPP: If the difficulty complained of by the hon. member is applicable to hon. members on the other side, I am quite willing to postpone it although I would say that it is a very important Bill and we want to deal with it as quickly as possible. Can the hon. member say whether he means that we should deal with it later this evening or at the next meeting of the House?

Mr. MOTTLEY: I mean that you should postpone it until next week.

SUSPENSION OF SITTING

Mr. SPEAKER: It now being two o'clock, the sitting of this House now stands suspended until 2.30 o'clock. 2.00 p.m.

On resumption;

It now being 2.30 o'clock, Mr. SPEAKER instructed the Clerk to ring the Bell.

(The Bell was rung and a quorum obtained.)

Mr. SPEAKER called Question Time and then Private Members' Business.

Mr. SPEAKER: The House now reverts to Government Business.

Mr. STRAUGHN: Before you go on to that, may I proceed to reply to the Order which stands in my name?

Mr. SPEAKER: The hon. member is rather late.

Mr. STRAUGHN: As far as I remember, Mr. Speaker, the hon. senior member for St George was speaking on this question and I was awaiting him.

Mr. SPEAKER: Under the circumstances we will deal with that.

ADDRESS re REPLY TO HIS EXCELLENCY'S SPEECH

Mr. SPEAKER On the last occasion, the hon. senior member for St. George was speaking when Private Members' Business was concluded.

Mr. DOWDING: Mr. Speaker, I have nothing further to add.

Mr. STRAUGHN: In replying to the points raised, I think I can easily be brief because most of the comments made on the original speech seemed to touch on matters which have been discussed in this House at one time or another, and certainly, it is not that the Government is in any way blind to any of these discussions. I am sure all would be taken care of in due time.

There has been some discussion on the unemployment figures, and even though it has been mentioned in the Speech from the Throne that no reliable figures are available at the moment, I do not envisage that that state of affairs would continue indefinitely.

I am also happy, if you call it happy, for the first time to hear what I would interpret to be the official statement of one of the official parties on the constitutional crisis.

2.35 p.m.

I notice that the only person who has made any mention of that matter was the hon. senior member for St. Lucy. I can promise him that I will certainly be using that at the appropriate time as the official statement of his Party on this question of the constitutional crisis. As the hon. member is not now in his place I will not prolong that portion of the debate any longer, but if he were in his seat I would certainly answer him in detail. In conclusion, I beg to move that the Address which I moved in reply to the Governor's Throne Speech do now pass. (A MEMBER: That has been done already.)

The question that this Address as amended do now pass was put and resolved in the negative, the House dividing as follows:-

AYES: Mr. BRANCKER, - 1.

NOES: Hon. Dr. H. G. H. CUMMINS, Hon. M. E. COX: Hon. D. D. GARNER, Hon. R. G. MAPP, Hon. F. E. MILLER, Messrs. SEARLES, STRAUGHN, SMITH and DOWDING - 9.

Mr. SPEAKER: The question has been resolved in the negative one member voting "Aye", and nine hon. members voting "No.". I declare the "Noes" have it.

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

**RESOLUTION re STATEMENT MADE BY THE
HON. PREMIER**

Mr. SPEAKER: The next Order of the Day under Private Members' Business stands in the name of the Hon. Leader of the Opposition:- To move the passing of the following Resolution re Statement of the Hon. Premier on the 14th April, 1959.

Mr. BRANCKER: Mr. Speaker, this Order is in connection with the Constitutional issue. As you know, Sir, this matter has been under discussion for several weeks now and we were much relieved to hear at last an official pronouncement made in this Chamber by the Hon. Premier in connection with the facts of his forthcoming visit to the Colonial Office. It will be recalled, Sir, that during the last month the last Premier told us in this House that he was making a statement to clear up a few points in connection with his invitation to pay a visit to the Colonial Office relative to the extension of the Constitution of this colony. The Hon. Premier went on to say that the Constitutional crisis since the House last met was then a matter of history but that he has been invited to go to England in connection with a further extension of the constitution and that was a current topic. The Premier explained to this House that there was absolutely no connection between the two things; in fact he went on in his statement to say that he had intimated to the Governor weeks before the *impasse* that in view of the fact that certain extensions to the constitution of Jamaica had taken place it was felt in Barbados that the Constitution of this Island should be similarly extended. The Statement went on to say that the invitation for the Premier to go to London reached him on the 26th March and because there was some doubt that the one thing hinged upon the other he felt that he should make it absolutely clear that there was no connection between them and no foundation for believing so. In conclusion, the Premier told us that at the moment he was conducting preliminary talks with the Governor and that at the appropriate stage - he could not say what the exact time would be - he would be going to see the Secretary of State for the Colonies.

Mr. Speaker, we regard the constitutional issue, and every intelligent person must thus regard it as a matter of importance because it affects the whole island irrespective of Party, and it should be the concern of all Parties. We feel that a Constitutional issue is certainly not a Party matter unless the various Parties hold different views about the matter; but I think that all of us in this Chamber hold the view that the Constitution of our island should be extended to the maximum to which it might reasonably be extended, that we should be masters in our own houses and that we should not have to accept dictates from outside. With our ancient Constitution, which is one of the very oldest in the British Colonial Empire, we would be very jealous if we find any other island in the West Indies, or in the Commonwealth, behind us and more backward than we are - we would be very jealous if we suddenly found ourselves taking second place and playing second fiddle in our Constitutional set-up. It is a matter of concern to all of us in this island; and those of us who have prided ourselves on this Constitution, have always shown that we have never misunderstood it; we never thought that we had the best constitution in the world or that we were greatly independent or that we had a better Constitution than Ghana after Ghana had taken on a new status.

2.45 p.m.

With the hard facts of reality before us, we realise, however, that we have a reasonably good Constitution from a Colonial stand-point because we are still a colony, whether or not we like it - or one of the best Constitutions in the Colonial Empire, and we feel that, having such a Constitution, other colonies who are not better able to govern themselves than we are, should not be allowed to forge ahead without our continuing to improve our status. We therefore welcome the view of the Premier, as he expressed it, that he is prepared to take steps to interview the Secretary of State for the Colonies in connection with further extension of the Constitution of this island.

We all supported the advent of Cabinet Government in this Island. What our views were, and our views on

this side are so well known about Her Majesty's present advisers in this island, that even though we have to wait until perhaps - at the latest - the next General Election, to be rid of the mal-administration and mis-government to which we are unfortunately subjected, that is a temporary matter, a very passing phase; the writing on the wall could not be larger and more visible than it is, and the running of our island by people of this island, admittedly, at the moment, by some who cannot run it as well as others who will soon be running it, is still more desirable - and I know they will catch on to this - than the running of the Government by imported officials, persons not born in the West Indies or not born in Barbados, and not really in sympathy with us, other than to use the island as a stepping stone to enable them to jump from a post which they may hold in this island to a higher post in some other part of the Colonial Empire.

For my part, and in connection with the visit of the Premier, he should not regard it as a Party measure unless he has in mind some extension or some adjustment in the Constitution of which he knows before hand we would not approve, and therefore he would not want diverse or conflicting opinions to be presented to the Secretary of State for the Colonies to prevent a clear undertaking and to make it impossible for him to realise what is - and what is not - the point of view of the Barbados delegation; but assuming that he has no reason to believe that we on this side will differ from what he has in mind (although perhaps in the course of this debate there will be divulged what the Hon. Premier has in mind in respect of constitutional changes) we can let him know whether we are with him or whether we feel he is not going far enough - as the case may be - on a matter such as this; and this would be, as has been done in the case of Jamaica and Trinidad, treated as a matter entirely above Party, all in the interest of the island, our birthplace, our home, and a united front would be presented if that can be. There is no reason to assume that it cannot be agreed upon. This would mean the initiation of Parliamentary discussions to determine what we have in common in connection with desired constitutional changes and whether our points of view may diverge.

I feel that Parliamentary talks are essential - in a non-Party spirit and on a high plane - before the Hon. Premier starts on his journey to the United Kingdom to keep his appointment with Mr. Lennox Boyd, and in the course of such discussions we will find out what are the subjects agreed upon, and what there is in issue between Government and the Opposition.

From the beginning of my student days, Mr. Speaker, because "once a student always a student", when it comes to law - the more one learns, the more one realises how much there is yet to learn - I have always preferred a written Constitution. That is my personal view. Those of us, and all of us, who practise Law in this part of the world are brought up under English Professors and Lecturers in the Law who are almost to a man enthusiastic about the unwritten Constitution as against the written Constitution because of its alleged greater flexibility and because nothing is committed to writing. Frankly, with that I have never agreed, and I was never persuaded - even by my Lecturers when I was reading at the Inns of Court - that the virtues of the unwritten Constitution surpass those of the written. That is a question which should be discussed, considered and resolved, in my view, before the constitutional discussions and negotiations start in London, so that the Premier would be in a position to say what is the point of view to which all important Parties in Barbados adhere, whether we all support the idea of the written, or *vice versa* we all support the idea of the unwritten, or he would be in a position to tell the Secretary of State for the Colonies that there is a divergence of views and that we cling to one or the other as the case may be; but that the majority is in favour of the written as against the unwritten Constitution; and of course the question of the Constitution then leaves one to consider conventions of the Constitution.

It is well known that one of the conventions of the British Constitution is that no rejects of the electorate are placed in office after their rejection, except in the case of one who has rendered distinguished and outstanding service. If the Prime Minister or a very senior Minister of the

Crown had been defeated in an election landslide, more a Party defeat than a personal defeat, room would immediately be found for that eminent figure by virtue of the service he had already rendered to Queen and Country in the Upper Chamber. But in the case of persons who have faced the electorate for the first time and have been unsuccessful on that or subsequent occasions, it is absolutely contrary to all conventions that obtain in England for such persons to be placed in office, certainly in no high office, definitely not in a position of anything like Ministerial responsibility.

The fact, Mr. Speaker, that this is a small island, and when one expresses a point of view there is always a tendency or belief that it is so expressed because of personal animosity towards an individual, is the only reason why I digress here to say in respect of the individual in this country who was unsuccessful in the 1956 General Elections and who was, almost immediately after, made one of Her Majesty's Ministers - Minister without Portfolio - that I have the very highest personal opinion of and regard for that particular gentleman.

2.55 p.m.

He is a gentleman, a man of considerable integrity, a man of honesty and sincerity of purpose; and what I am saying refers to the principle of the appointment and certainly not to the individual who was appointed. This is the sort of thing which would never happen in Great Britain with its unwritten Constitution and with its conventions.

Another point which I would throw out for the consideration of the Hon. Premier when he discusses this matter - and I take it that he will discuss it at a Party caucus or as a certain newspaper Reporter who refers to them as the Premier's top brass - is this. We have definite views on this matter which is non-party unless there are certain points on which the official Opposition differs. As regards the Attorney General, I think that is a matter of how much longer we should consider this post as a Civil Service appointment. I think as soon as Cabinet Government was obtained in this island and the Premier presides over the actual working of the Cabinet, that the very next move should be to take steps for the Attorney Generalship of this colony becoming an office like the Attorney Generalship of Great Britain. In Great Britain the holder of that office comes and goes out with the Cabinet. If and when that Government ceases to be in power, automatically goes the holder of the office of Attorney Generalship and another comes in his place with the new Government. There is no reason why we should maintain Cabinet status with this idea of the Attorney General being a permanent Government official as distinct from a member of the Cabinet who must come in and go out with the other Ministers. That is a matter on which the Government should formulate its point of view. We are quite prepared to advise the Government on the correct approach to that subject if they would invite our advice on this matter because we regard it as essentially a non-party matter unless it is established that Government wants to move along certain lines constitutionally while the Opposition wants to move along different lines. But that has not been established. There should be in our view a getting together of all the Parties so that the point of view of the island as a whole can be fairly, adequately and impartially presented to Her Majesty's Principal Secretary of State for the Colonies. After all, we are still a colony and the last word is still with the British Government, however much we may dislike it or however distasteful it may be.

Mr. Speaker, just after the Local Government elections, rumours were rampant over the island about the roving Premier going to the United Kingdom and having discussions with the Secretary of State for the Colonies, and the opinion held was that he was going up in connection with the recent appointment of Aldermen in the metropolitan division of Local Government resulting from the Local Government elections. However, that does not matter much because in the future appointments of Aldermen will not be made in the manner in which the first appointments were made, but it does serve to bring home to those who were misled on this issue, as on certain other issues, by the first Premier of Barbados' grossly misleading statements which he made in this House and on public platforms as to the Constitution of Barbados and what he, the Premier, would do and what the poor Secretary of State for the

Colonies could not do - and yet we find although it was suggested by the former Premier in a newspaper of one of the other colonies that any reference of any such thing to the Secretary of State for the Colonies was just like appealing to the Shah of Persia, that he was the first person to find out on his going up that he is not the Premier of Barbados to go and offer advice on behalf of this country. He who excuses himself accuses himself. Some people believe that it is simply because he must have a weekly sea bath that he comes to Barbados so often, but they have found out that it is with a view of his spreading his idea as to how the Government of this country should be run and what should be done and what should not be done. He who excuses himself accuses himself.

3.05 p.m.

Matters of moment were agitating the mind of the present Prime Minister - matters which were the concern of the Unit Governments. Anyhow, Sir, we learned from the Hon. Premier that the sole purpose of his proposed visit to the United Kingdom is to discuss the matter of further Constitutional reform, particularly in the light of a better Constitution, with a view to extending the Barbados Constitution even further. No doubt his pronouncements during the course of this debate - we presume that he will be taking part in this debate - might serve to shed some light on the stand which he will be taking and the advancement which his Party will be recommending, whether the Crown Law Officers are to be made members of the Government even if not of the Cabinet, to cease to be Civil Servants, to come in and to go out with the Government which is in power and things of that kind, and what conventions under this Constitution the Government supports and what Constitution they will reject or refuse to adhere to. Then there are matters such as those to which I referred just now, the placing of people who have been rejected by the Electorate into higher offices within a few weeks of their convincing rejection by the Electorate. In the past we know that such a thing has happened in this island, but not within the same few weeks, in the same Parliament.

You will recall, Sir, how, when perhaps the ablest and most astute Counsel whom the British West Indies has yet produced, the late Mr. H. W. Reece, K.C., was defeated at the polls, his services were made available to the country in the Other Place. He deserved that honour just as Mr. Asquith or any other distinguished Prime Minister deserved it; and when he was defeated by the Electorate, after having rendered so much service to the country, he was elevated to the Upper Chamber. Mr. Henry Alleyne who had also been rejected by the Electorate, was, in the following Session, not in the same Session, if my memory serves me right, elevated to the Upper Chamber. There are conventions of the Constitution, and it would be good if the Government and Opposition Parties knew where each side stood in connection with matters of this kind. Whether we approved or disapproved of his Statement, we were relieved to hear it from the Premier and it cleared up considerable doubt in the matter; we were relieved of the state of uncertainty for such time as the matter had remained the subject of confused controversy. As a result of that statement having been made, I gave notice of a Resolution and I now formally beg to move the passing of the Resolution of which I gave notice in this Chamber on the 21st April of this year. The Resolution reads as follows:-

"WHEREAS a statement has been made in the House by the Honourable Premier on 14th April, 1959 relative to the extension of the Island's Constitution and his forthcoming visit to Her Majesty's Principal Secretary of State for the Colonies;

AND WHEREAS the said Statement has been received with complete amazement in the community as no previous announcement of such proposals has been publicly made;

AND WHEREAS the question of an extension of the Island's Constitution is a matter of fundamental and paramount importance to every section of the community irrespective of Party;

BE IT RESOLVED that, before consultations are commenced orally with Her Majesty's Secretary of State for the Colonies in respect of amendment to the local Constitution, an "all parties" Committee be set up to make recommendations for extension of the Barbados Constitution."

That is the Resolution, the passing of which I do now formally beg to move.

Mr. TUDOR: Mr. Speaker, in rising to second the motion which has just been made by my colleague, I should like to emphasize at the beginning that the motion in its terms is specifically a request that decisions which are arrived at as to what the further extension of this island's Constitution should be - these decisions should be "all party" decisions. Some hon. members on the other side may quite ignore the terms and the text of the Resolution and they may go off at a tangent into matters which are wholly irrelevant and unconnected with the issue which is before the House. This motion does not, at this stage or at any stage, say that it wants the Opposition to be a party to agreements between this Government and the Secretary of State for the Colonies - in the final phase, although that would be desirable. The motion is not saying that: it says that before the Premier leaves, no matter how accompanied he may be, the proposals which he will be taking to the United Kingdom and upon which he will be seeking agreement with the Secretary of State for the Colonies must be proposals and decisions which have been reached in consultation and in agreement with the Leaders of all Parties in this House. Those are the terms of the Resolution which is before us and it has been very ably moved by the hon. member who has just sat down.

3.15 p.m.

There are other aspects of it which even if they had not been mentioned here in the debate would not ruin the force of the argument but which nonetheless belong to a discussion of this nature.

The first point we should like to get clear is that the Constitution of this island, or for that matter of any territory, is not to be conceived as being the property or the chief concern of the Government of the day. It is true, of course, that it is their immediate concern since they have to work it, but they cannot claim to be concerned with it to the exclusion of all other political sections of the territory, because at any rate under the British system of Parliamentary Government, it is an accepted belief that a Government of the day works the Constitution always in the knowledge, though not perhaps in the hope, that the Government can be changed at any appropriate time. Consequently under the British system the feeling and the convention has grown up that even where a Government retains ultimate responsibility in constitutional matters, yet in arriving at general conclusions on constitutional matters, a wide section of political opinion is invariably canvassed, and in the more highly developed British territories, in the United Kingdom itself and the senior and larger Dominions, it is invariably an inflexible rule that matters of a constitutional nature are inevitably and inexorably two-party measures. That is the ground on which we stand.

It is not, Mr. Speaker, that the Opposition Party feels that it knows more about these things than anybody else, or that it has some new solution to offer on constitutional problems as they arise. Far be it from us to suggest any such thing; but what I am suggesting is that we take our stand on British practice. So long as you have a system wherein the Government is responsible to a Legislature and that Legislature in turn is freely elected by the people, we are convinced that in any such system the Opposition has as much right to have its say on the future form of the Constitution as the Government, and for this reason: the Opposition in a British Parliament can become and does look forward to becoming the Government of the day at some future time, and if a Government now in power in a British territory acts in accordance with traditions and British doctrines, any such Government realises that it might not be the Government at a future date, and in order that the Queen's Government should be carried on as smoothly as possible, particularly in cases where there is a change of Government, the Government of the day in a British country sees to it that all constitutional matters are two-Party matters, so that changes of Government, whenever they come in the course of time, do not affect the realities of the Constitution.

The Government which negotiates constitutional advancement today, say in Ghana, may not be in power in

five years' time. Even in Cyprus which is now feverishly preparing a Constitution for Republican status under Archbishop Makarios and the Turkish Cypriot Leader, they are doing it with a view or rather with the understanding that the former Government and indeed the personnel of Government might be altered in another general election in Cyprus after a period of time. They are concerned that the fundamentals laid down should be acceptable both to Greek Cypriots and to Turkish Cypriots so that if at some future time the Turks should have a majority in a Government, it will make no difference to the Constitution as such, except that further changes, if necessary, will be initiated on the same two-Party system; and that is how it works. The claim, therefore, of an Opposition Party anywhere, not only here, to be consulted and to speak its mind freely, whether or not it agrees with Government, is a claim which is an honest one and which is in full accordance with democratic traditions.

To come a little nearer home, Mr. Speaker, this is what we find: changes in the Barbados Constitution, although we do not know at the moment their precise form, are inevitable, if only for the fact that Barbados is itself part of a Federation, which Federation is working towards complete self-Government in the shortest possible time.

Secondly, Mr. Speaker, Barbados is one of the three large units of that Federation which are in the process of expanding and extending their own constitutional forms; and thirdly, even in the rest of the Federation, comprised as it is of the small units, there has been successful agitation for constitutional advancement with the consequence that in the Leewards and Windwards, agreement has been reached between their Governments and the Secretary of State for the Colonies as to the desirability of further constitutional advancement for them. So, Mr. Speaker, in the case in which within the Federation itself three of its large units and all of its small ones are, in varying degrees, seeking to expand their constitutional forms and practices, it is hardly to be wondered that in this the most ancient British Colony there is again need for constitutional advancement.

But what form, Mr. Speaker, is that advancement to take? It is true that no detailed proposals are before this House and might not be before this House until it is asked to approve them, whatever they are; but this is just the point of the motion, that before the House as a Legislature is asked to approve whatever has been decided, at any rate the House by making use of the Party system in an unofficial way should be able to add its contribution to the proposals which it is intended to put before the Secretary of State for the Colonies. Thus, our contention is important for a lot of reasons but chiefly for this: if, Mr. Speaker, you review the stages through which the Barbados Constitution has passed in the last few years or so, you will see that for very obvious reasons all our constitutional advancement has been sporadic, piecemeal and has borne all the hallmarks of lack of concentrated thinking; and that was largely because the person most responsible for initiating constitutional changes, had himself always a one-sided and very irregular and undemocratic view of what constitutional changes should be and who should take part in bringing them about.

3.25 p.m.

Consequently, every extension of the Barbados constitution within the last ten years or more coincided roughly with some whim or fancy in the mind of Sir Grantley Adams or with some particular thing he wanted or some advantage which he thought he could claim at a given time: and although the extension and expansion of the Constitution vitally concern the people of this island, at no stage were the people brought into consultation with the Government as to what would be the best form of Government under which they would like to live. In the case where the people's representatives were brought into consultation it was largely in a perfunctory and formal manner, so that even if individual members of the House had withheld their approval of the constitutional changes it would not have mattered. Especially since the Ministerial form of Government has been established, and since then Cabinet system of Government, all of us have witnessed some amazing and puzzling departures from what we accept to be the form of Parliamentary duties under Cabinet system. I refer to the

fact that at least one side of this House believes that the island narrowly averted a constitutional crisis a few weeks ago and, in addition to that, the fact that there is some dispute among certain people in this island as to what crisis, if any, existed and how it should have been solved. All of this implies that even in 1959 we have no authority, written or otherwise, which can be consulted without fear or favour to tell us what is right in constitutional matters. It is all a matter of guesswork and of the people's whim and fancies so that even if there were not a specific reason for the constitutional advance at this time, there would have been reason enough for our own position in this island to be cleared up.

This is a matter of course on which the Government and the Opposition can take differing views, that is, as far as the events of the last two months or so are concerned. But even though this may be so, if the matter is cleared up to everybody's satisfaction, then everybody in the future would know what are the powers and functions of the Government. We should know what are the limits of responsibilities which the Ministers may rightly exercise and if it is put down in black and white, well, so much the better and we would all know where we are.

It is interesting to know that in the crisis which has so far passed, the chief protagonist of Barbados was himself bitterly complaining in public that either he or other parties to the constitutional issues had misunderstood each other and that certain interpretations which he had conceived of the powers and functions of the Government appeared to be different from what he conceived. He implied that the Colonial Office had not kept faith with him or had certain ulterior reservations which they did not disclose. The very fact that the man himself who was chiefly responsible for initiating some measure of extensions to the Constitution should be complaining years after that he had misunderstood somebody - or somebody misunderstood him - shows plainly that there is not the fullest and frankest explanation and knowledge on constitutional matters in Barbados. For instance, in 1953, 1954 and 1956, if on his visits to the Secretary of State for the Colonies under any pretext whatsoever, particularly on the constitutional issues, he had been accompanied by a representative of an opposing political party, and if, failing that, it had been set down in black and white just what was going to be asked for and what the new powers of the Ministers would be - if all that was made more explicit than what we have in the documents before us, then nobody would complain that he was misunderstood or that a different interpretation was placed on the powers and functions of the Governor.

Therefore, Mr. Speaker, I contend that if you want to avoid any misinterpretation, not perhaps on the same sort of issue but on a different one which we cannot foresee at the present moment, then you should let everybody know what is being requested and that revolves logically to the participation of all sides of the House in the formulating of the proposals. That participation is necessary because the ways of democracy are such that those who run the Government now may not run it tomorrow; and since it is the essence of the democratic system that changes of the Government whenever they come in the normal way should be effective and smoothly passed over with the least dislocation as possible, the consent of the Opposition on Government proposals or *vice versa* is the necessary ingredient in making these proposals work. To show how important this consideration is, one has only got to reflect on a matter which came before this House and which had to be taken back because there was a different interpretation on both sides of the House as to a specific clause. I refer to the Bill to amend the Executive Act. It is on the Order Paper now, but it was brought in during the last session; and in the course of a debate on it, so far as I remember, in accepting the Opposition's case for postponement the Government did say that the particular clause of the Bill needed further clarification and it was not that the Opposition wanted to score any debating point on the Government. It was far from that.

3.35 p.m.

It was that both sides of the House realised in the nick of time that we could not proceed to pass legislation without giving further consideration to the matter before us. That is an example of what I would call a "all-Party" or

"two-Party" participation in a constitutional debate. It is not so much that the Government had to postpone the Measure which it had brought down, but that in consultation with the Opposition, both sides agreed that a case had been made out for postponement pending further clarification. The point is this: there are 24 members of this House; and all members of the House, whether they are Ministers, Government supporters or Opposition members or even Your Honour, are to some degree called upon to interpret, by virtue of our position, the Constitution of this island, because we are part of the law-making section of the Constitution. I should like to ask this question: How many members of this House have ever had in their hands at any time the constitutional instruments which display, as it were, the Constitution of Barbados? There are few of us who possess or have been even able to read the Letters Patent or the Royal Instructions, and it is only when we have a matter which deals with the Executive Committee that members who intend to speak in the debate send for the appropriate volume of the law and look up that which deals with the Executive Committee.

In relation to the Letters Patent, the Royal Instructions and the Executive Committee Act, there are a dozen or so separate bits of legislation as to the Constitution under which the powers of the Executive Committee are set out and which illustrate clearly how these conventions and powers are to be administered. Now this is a serious matter; it is a fact that twenty-four members who themselves form part of the law-making section of the Constitution, do not themselves possess copies of the constitutional instruments. This might seem to be a minor point, but we may well ask ourselves this question: How can we interpret and administer our Constitution, the provisions of which we are not familiar with, because the instruments containing those provisions are not in our hands whenever we want to look at them? In passing I might say that it might be well if provision is made for the printing and circulation of the Letters Patent and the Royal Instructions so that hon. members can each possess a copy of the constitutional instruments of Barbados.

Mr. Speaker, in these documents, those which have been passed by the Legislature and those which have come over from the United Kingdom, we see the full system of Government in Barbados; and the Ministerial and the Cabinet System have taken the place of an older system of representative Government. Unlike some other countries of the British Commonwealth which are having Constitutions made for them starting from scratch, we are in this position, fortunate at some times and unfortunate at other times, that all our constitutional advancements are overlaid on the basic structure of representative Government; and this House of Assembly which has paid a heavy price for its constitutional advancement, must amend its conventions. But what we find is that the powers which formerly adhered to this House, have been taken away and vested in the Governor-in-Executive Committee - and that is, of course, in any interpretation, in the Cabinet itself - or in various Statutory Boards. I am one of those who still believe that the House should be very jealous of surrendering its powers to the Executive Committee, but it is the price which has been paid for constitutional advancement and we may yet see the benefit of it.

What is more important than anything else is this: it will make no sense in the Premier going to England if he does not intend to bring back the approval of the Secretary of State for the Colonies for complete internal self-government. If that is what he is going for, as we hope, a certain important consideration arises as to what he will bring back; it will mean as in Jamaica and Trinidad, among other things, a certain aspect of Police administration in the Cabinet system. The separate administration of the Police which we have now, does not belong to, and cannot find any place in, a full self-government system. If you are asking for complete internal self-government with all that it involves, including control of the Police, then you must be in a position to make out a very good case to the Secretary of State for the Colonies that the Government in power, or any Government for that matter, will not abuse the new authority which is being sought. And what I fear in this particular situation is this; the Secretary of State for the Colonies who, after all, is not

asleep and who must have been following quite thoroughly, recent history in Barbados, although we may not think so, may well be wondering whether he should consider giving us that added measure of self-government which has been given to Jamaica and to Trinidad in view of what he may well have to think of certain suspicious acts and statements of the Ministers in this island.

That is a very, very important thing. It is true that you may have a division of opinion on any or on all the matters which agitate public opinion at any time. There could always be a division of opinion on these issues, but I feel that there are certain things which the Opposition members could do because they are in Opposition, which if done by Ministers of the Crown, would take on a different complexion. It would be difficult for me to understand that if the party in power has a disagreement with the Officer administering the Colony, if they judge that disagreement to be so serious that they feel impelled to criticise or attack him in public - it is difficult for me to see why that disagreement should not allow them to take what would be, after all, the proper constitutional course, that is, to resign. For Ministers to attack the Head of the Administration in public is a bad thing because it shows quite plainly in the first place that the particular constitutional system which they are called upon to work, they are not working smoothly, and in the second place, it shows that there are frustrations and differences within the system and the personnel themselves.

3.45 p.m.

Any Ministry which finds that it cannot agree with the Head of State should offer its resignation and test these differences of opinion out in the cruel air of a general election. That is the sensible constitutional course for Ministers who disagree with the Governor or with the Queen or with anybody to take, but you do not leave much room for a good interpretation of one's motives if the Secretary of State knows that Ministers who have a clear choice before them ignore that clear choice, whatever its consequences may be, and resort on public platforms to criticising the Head of the Administration.

Now I know that on the other side there is bound to be some Minister - and we can all guess who he will be - who will misinterpret and misunderstand completely the point I am making here, and we are prepared, with what accuracy I cannot judge until I hear, to hear him recount the number of times the Opposition spokesmen both inside and outside of the House have attacked the Governor. I am prepared to admit without taking the gentleman's name too far into the debate that I have been among his severest critics when they have been among his stoutest defenders. But, after all, when an issue is made whether here or outside on certain actions of the Head of the Administration with which we may disagree, we feel free to do that because we are in Opposition; but Ministers in Government who disagree with him and disagree so strongly that they feel tempted to criticise him publicly should carry that criticism to its proper length and refuse to co-operate with him in the administration of Government. That is the constitutional course to adopt; other than that and you give the impression that there is a breakdown at the centre of things, the Secretary of State for the Colonies would be bound to ask when you arrive for constitutional advancement: "tell me, Dr. Cummins, what guarantee have I got that if the Queen or the British Government is advised to grant further self-government, on a similar disagreement between the Governor and the Government the Governor will not be attacked publicly or will not be subject to the embarrassment of having his name dragged in on political platforms by Ministers with whom he is supposed to co-operate on an executive level?"

If a question like that were put to the Premier by the Secretary of State, it is a question which he can expect to be asked, because not a single public statement of any importance on the so-called quarrel between the Governor and the Ministers has been faithfully reported and sent on to the proper quarters in London. Not that the Ministers should find it difficult to stand by their own conclusion - we hope they are strong enough, even if wrong enough, to stand by whatever they have said - but it is an issue which a Premier going up to London to negotiate self-government would have to face, the question being in any similar dis-

agreement between a Governor or a Ministry on any matter whatever, what guarantee has the British Government that the Governor will not be attacked publicly by the Ministers with whom he must co-operate in some form or other. In other words, the Secretary of State for the Colonies would be wanting to know whether he dare entrust an extended measure of self-government to a colony where it might become the fashion for Ministers openly to voice their disagreement with the Governor.

If it is true, as the Ministers claim, that the Governor is only a figurehead, it is bad policy to abuse a figurehead or criticise him....

Mr. SPEAKER: The hon. member, of course, is talking more of the recent history as he put it than actually on the subject of this Resolution at this stage, and that has nothing to do with the subject matter of the Resolution.

Mr. TUDOR: Yes, Mr. Speaker. I know that I was transgressing, but I was only waiting until you stopped me. As I was saying, Sir, it is only in rare cases in the Colonial Empire that a Head of Government can make out an unanswerable case on the first occasion for complete self-government. You can do it in Cyprus because there has been a history of upheaval there. It has been done in Malaya because there were certain conditions there which had to be satisfied first and which were satisfied before complete self-government and Dominion status was granted. But that is not the case in Barbados or any part of the West Indies. Our advancement, when it comes, comes slowly and piece-meal, and consequently the Secretary of State for the Colonies has reason or rather would be more inclined to ask searching questions of a Barbados delegation than perhaps of a Ghanaian delegation, because he would know, long before the Ghanaian delegation arrives, what precisely it wanted. In our more leisurely and slower fashion, since we take our advancement piece-meal, he is not likely to be rushed by any request which he cannot forestall or cannot have the time to think over.

As I said, any request for an extension of the Barbados Constitution made by the Premier must be previously justified as to the proper use of the extended powers which are going to be granted. Although I am bitterly opposed to the present Government, I have never carried my disagreement or opposition to them to the lengths which can however influence me in thinking that constitutional advancement should be delayed because a Government I dislike is in power. I have never looked upon these matters that way at all. The more they can get, the more quickly they should strive to get it; but I do say, Mr. Speaker, that they themselves on their own strength cannot carry this particular burden and should not in the interest of the country as a whole carry it themselves. More is involved than the safety or the security of the particular Government in power. We want a situation in this island that when they or any succeeding Government have to administer and interpret an advanced constitution, everybody, themselves included, knows exactly what its terms and what its limits are.

Now I do not know of any other way to reach that happy state than the way of allowing the representatives of the people, divided as they are in a Party system, to have their full say. Some people on the other side, Mr. Speaker, may take a narrow view of constitutional matters. They may say that any advancement which comes, so long as it receives the endorsement of public opinion, can be brought about by the Party in power exclusively; but no great harm is done when that happens, if only because you have got the backing of public opinion.

3.55 p.m.

But there are certain risks which the Government ought not to be prepared to take. It ought not to be prepared to take the risk of there being in the future, on what pretext you do not know, a differing and contradictory interpretation of the powers and responsibilities and functions of any part or person under the Constitution. If you want to avoid that, let the largest number of persons partake in the formulating of the proposals.

If the Hon. Premier ignores our request, if this motion is defeated, naturally, it will not delay the constitutional crisis, whatever it is, from being sent up or being approved.

We all know that; but it would be a narrow-minded policy on the part of the Government if they carry out the short-sighted attitude of Sir Grantley Adams in wanting Government to maintain and keep all the prestige and the applause which naturally follows a change in the Constitution. It is no internal self-government for the "Cummins" Government; - I apologise for using the word "Cummins" - it is internal self-government for Barbados and its people; and the fact that it is internal self-government for the whole island, well logically, if everybody has to have a direct interest in making it work, then everybody should have a more direct interest in the making of the proposals.

Mr. Speaker, in commending this Resolution to the House, we do so in no partisan spirit and we do it even without prejudice to whatever the Hon. Premier may or may not do so far as choosing a delegation to London; but we say this on behalf of our Party. I cannot speak on behalf of the whole Opposition but certainly I can speak for our Party. If the House passes this Resolution, we naturally, would hold ourselves in readiness to consult with the Government on any of the proposals which it is thought desirable to present to the Secretary of State for the Colonies; and in any of the negotiations with them we shall do it in no spirit of partisanship but with a genuine desire to co-operate. And if, as a result of that, the Hon. Premier decides to make his visit to Great Britain on this constitutional matter on an all-Party level, our Party for its part is quite willing to allow the Leader of the Opposition to nominate either himself or any other suitable member of our Party to accompany the Premier to London if we are asked to do so. That is how far we are prepared to co-operate and I say that we are doing it without any spirit of partisanship. As it is now, the matter no longer rests with us but with the Premier and his Ministers. It is for them to choose whether they are prepared to go the whole hog for good or bad, or to allow the Opposition Parties to be associated so that if there is blame all would be blamed, and if there is success the people of this island would benefit.

Hon. M. E. COX: Mr. Speaker, last week when I replied to the Address moved by the hon. junior member for St. Joseph, I said then that the Opposition and especially the hon. member who just sat down were still possessed with the Crown Colony mentality which no doubt is found in too many of us at times, and more particularly those who claim to be occupying responsible positions. Now, the hon. member criticised me because I was one of the Ministers who criticised the behaviour of the Governor and indeed, I would like to tell this House that I thank God I was born with an independent spirit, and nobody connected with me as far as I know has that plantation mentality and, therefore, we cannot at all appreciate it. I claim the right to speak as I feel I should speak at any time on any issue whatsoever without fear or favour, of course, always bearing in mind that I should not do any harm to anybody. The hon. member in the course of his speech said that the Secretary of State for the Colonies would be well advised or words to that effect to go slowly.

Mr. TUDOR: Mr. Speaker, I rise on a point of order. The hon. member has misinterpreted me. He never heard me say that the Secretary of State for the Colonies would be well advised to go slowly. What I did say was that the Secretary of State for the Colonies may well have reservations and may question the Premier on certain matters of recent happening. That is my opinion of what he should do.

Hon. M. E. COX: I wonder where the hon. member gets the idea of the Premier questioning the Colonial Office.

Mr. TUDOR: I never said that he should. I said he may well.

Hon. M. E. COX: All along the hon. member's speech, the hon. member criticised those hon. members who were bold enough to get up and say in no uncertain terms that the Constitution had been violated. I say before I go further that I strongly deprecate the remarks made by the hon. junior member for St. Lucy when he said how greatly we were misled into our constitutional position by the Hon. Premier, the then Sir Grantley Adams. I want to say

that I was one of those who was responsible for the present Constitution we have today and I was one of those who discussed the Constitution we have from the beginning of Ministerial set-up.

4.05 p.m.

The Hon. Premier, Sir Grantley Adams, and the hon. senior member for St. Peter were others who discussed this Constitution from beginning to end and we were quite satisfied that, at the time, our rights and privileges were well safeguarded within the meaning of the terms of the Convention as was submitted to the House of Assembly. We are still satisfied about that. With that in mind.....

At this stage, Mr. SPEAKER left the Chair, and Mr. DEPUTY SPEAKER took the Chair.

Hon. M. E. COX: As I was saying, Mr. Deputy Speaker, we are still satisfied about the Constitution, and with that in mind I go further and say that the Constitutional conventions were violated but not by us. His Excellency the Governor, in his Message to the Legislature at the inauguration of Ministerial Government said that it was incumbent upon him, as well as it was incumbent upon the Ministers, to carry out the conventions as laid down in Great Britain as far as they were applicable to Barbados. For years we have been operating under those conventions; we were not beating about the bush, like the hon. member who has just sat down - the hon. member who, no doubt, is always beating about the bush and does not know where he is going. I am prepared to support Sir Grantley Adams when he said that the Head of the Administration of this country was utterly and absolutely wrong in acting as he did in the matter of the appointment of Aldermen. If I am convinced about that, who should resign and go to another place? I belong to this country; I am an elected representative of the people of this country and those of St. Michael in particular. The only time when we are to resign is when we lose the confidence of the electors of this country, not when a Governor refuses to accept our advice.

Mr. Deputy Speaker, I started off my remarks by referring to what His Excellency the Governor said, that is, that it was incumbent upon him, just as it was incumbent upon the Ministers, to carry out the conventions in so far as they are applicable to Barbados. I have here a book which has been written by Mr. C.F. Strong, M.A., Ph.D. - not a bogus M.A., like the one who has just sat down.

Mr. TUDOR: Mr. Speaker, I object to that and I ask that those remarks be withdrawn.

Hon. M. E. COX: All right Sir, I will withdraw them.

Mr. TUDOR: But he cannot sit there and say that he withdraws; he has to get on his feet and withdraw those remarks; otherwise the whole House will stop just now.

Hon. M. E. COX: That is what he is accustomed to doing. I withdraw the remarks, Mr. Deputy Speaker. This is what Mr. C.F. Strong M.A., Ph.D., has written: "The King must assent to any Bill passed by both Houses of Parliament."

It is fruitless to speculate on what would happen if the King refused his assent, because he never does. Presumably if any Monarch did refuse to sign a Bill, a statute would be passed, to say that he must. While the convention is never violated, it is as good as law in the Statute Book.

Ministers must resign when they have ceased to command the confidence of the House of Commons."

Under no other consideration is it incumbent upon a Minister or Ministers to resign; not when they differ from the Head of the Administration. It is the Head of the Administration who should go in that case. When King Edward VIII differed from Mr. Baldwin on the question as to whom the King should marry, what happened? Mr. Baldwin stayed and the King went. That is all I have to say on that particular point. When the hon. member starts to talk a lot of nonsense, the position is exactly what I have said. If you dare stick out for your undoubted right, you get people like the hon. member who say: "These people are Colonial Office people; whatever the Colonial Office

says, they are bound by it. They are ruled by the Colonial Office." There are those who refer to Sir Grantley Adams as a stooge of the Colonial Office; but now that we are standing up and demanding our right just as the people in Ghana have done, the hon. member says that the Colonial Office may well have their reservations as to advancing the Constitution because Ministers criticise the Head of the Administration. As far as I am concerned, whether I am a Minister in this House or I am outside of this House, I will offer criticism whenever the occasion warrants it. I recall some years ago what happened in the House of Assembly when we had that shoddy and crude mentality which still exists and which will exist as long as the hon. member lives. He was one of the people who went along with the hon. junior member for Christ Church, around by Government House asking the Governor to dismiss me for doing what? The Government had decided to take over the roads of St. Joseph and we had to put them under the Department of Highways and Transport.

Mr. DEPUTY SPEAKER: The hon. member is going too far. This is what the Resolution states:

Hon. M. E. COX: I have read it and I understand it.

Mr. DEPUTY SPEAKER: Well, if you understand it then you must keep to it.

Hon. M. E. COX: I was illustrating a case in which I was carrying out not only the conventions but the letter of the decision of the Executive Committee that it is incumbent upon the Ministers, as was laid down in the Governor's Message to the House on 1st February, 1954, that the Governor-in-Executive Committee will lay down the policy and the Ministers are responsible for carrying out that policy. I am saying that I was carrying out the policy of the Government; the House of Assembly had decided by an Act to take over these roads and the hon. senior member for St. Lucy, along with others, went to Government House in order to get rid of me for carrying out the convention.

Mr. DEPUTY SPEAKER: The Hon. Minister is again straying and I want him to come back to the Resolution which is before us.

Mr. TUDOR: On a point of order. The hon. member has told a gross untruth. I never went to Government House with anybody in that connection; they had advised the Governor not to receive any Delegation of the Opposition. It was the Conservative Opposition then.

Hon. M. E. COX: The hon. member went to Government House and the Governor refused to talk with him.

Mr. TUDOR: On a point of order. The hon. member is not telling the truth.

Mr. DEPUTY SPEAKER: I will rule this debate out of order if the Hon. Minister continues in that way because it has nothing to do with the Resolution. The Hon. Minister said that he can read and therefore he must keep to the Resolution; otherwise he is doing what he is doing purposely.
4.15 p.m.

Hon. M. E. COX: I am saying that our action in so far as explaining to the public the constitutional position as it stood is justifiable in every respect.

Mr. DEPUTY SPEAKER: Again that is not in the Resolution.

Hon. M. E. COX: I am replying to the speech made by the hon. member.

Mr. DEPUTY SPEAKER: I am nothing to do with what the hon. member said, because I was not in the Chair when he was speaking. I am something to do with what is in front of me.

Hon. M. E. COX left the Chamber.

Mr. DEPUTY SPEAKER: The question is that the Resolution do now pass.....

Mr. CRAWFORD: Before you put the question, Your Honour is apparently assuming that the last speaker has finished. I have seen low depths in this Assembly before, but I cannot conceive that Your Honour's ruling would be treated in that fashion by a Minister on the Government Bench.

In order to keep this matter before the House, Sir, not the least objectionable feature of this matter is the manner in which this House and the country first became acquainted with the fact that the Premier was going to England to discuss the colony's Constitution with the Secretary of State for the Colonies. We got this information, Mr. Deputy Speaker, in the most indirect and back-handed manner, and the Opposition says without the slightest fear of contradiction that the manner in which the Premier and the Government treated the country on this issue is firstly a direct insult to the country, and secondly, it demonstrates without the slightest shadow of doubt that they are not fit to be entrusted with any more power. The Government made no statement to the country that constitutional talks were to go on between themselves and the Secretary of State for the Colonies. What happened was this: there was said to be this constitutional *impasse* between the Government and the Governor; the Federal Prime Minister came to Barbados and at a public meeting in the city of Bridgetown.....

Mr. DEPUTY SPEAKER: The hon. member is again straying from the Resolution. That has nothing to do with the Resolution that is in front of us.

Mr. CRAWFORD: Let me put it this way, Mr. Deputy-Speaker. In his statement to the Assembly the Premier said that a constitutional crisis since the House last met is now a matter of history and that he had been invited to come to England on a further extension of the constitution. He recalled that he had intimated to the Governor weeks before the *impasse* that in view of the fact that certain extensions had taken place to the constitution of Jamaica, Barbados felt that the constitution should be similarly extended. The invitation to come to London came on March 26th and since there was some doubt in certain circles that the one hinged on the other, he felt he should make it clear that there was absolutely no connection, and therefore there was no foundation for believing they were connected.

Well, now, it was public property, Mr. Deputy Speaker, that the Federal Prime Minister had previously stated after having gone to the Colonial Office on this question of the Aldermen.....

Mr. DEPUTY SPEAKER: You have made the point very clear in your reading that this particular Resolution has nothing at all to do with the statement made by the Premier about the appointment of Aldermen to whom you are now referring; so I cannot allow any debate on that in this Resolution, because the Mission going to England has nothing to do with the appointment of Aldermen.

Mr. CRAWFORD: The position is this, Mr. Deputy Speaker: I am contending that the country and the Opposition have been both insulted by the Government on this matter, because the first intimation we had about these proposed constitutional talks was when the country was told by the Federal Prime Minister - - you see I must explain what I mean; I cannot say we have been insulted without explaining in what manner we have been insulted. The Prime Minister said that he was going to the Secretary of State about this Aldermen matter. He took off to London and goes to see the Secretary of State and is obviously rebuffed by the Secretary of State for the Colonies who told him to mind his own business because this does not concern him and that he had invited the Premier to come and discuss the Barbados constitution with him. Now the Premier of Barbados comes here and says that this *impasse* over the Aldermen is now history and he wanted it to be perfectly clear to the public that this has nothing to do with the appointment of Aldermen and that he was going to London because he had been invited to have constitutional talks with the Secretary of State. In other words, Mr. Deputy Speaker, if the Federal Prime Minister had not shot off his mouth and gone to England and had been rebuffed by the

Secretary of State over this Aldermen *impasse*, the country would never have known up to now that there were constitutional talks going on between the Government and the Secretary of State.

Mr. STRAUGHN: On a point of order, Mr. Deputy Speaker, I think we should take objection to the remarks that have just been made by the hon. senior member for St. Philip, because I take it he is imputing that the Hon. Premier never had any intention of letting the country know that we wanted to have any constitutional expansion.

Mr. CRAWFORD: That is sheer idiocy. He cannot say what is in my mind. How can I get up here and say that he never intended to tell us? Suppose he intended to tell us in 1890! What I am saying is that from the time.....

Mr. STRAUGHN: Mr. Deputy Speaker, I objected to the innuendo that the hon. member made against the Hon. Premier and I also object to his rather unbecoming remarks about idiocy, and I believe I want those two objections tabled.

Mr. DEPUTY SPEAKER: What is your first objection?

Mr. STRAUGHN: He has insinuated that the Hon. Premier never intended to tell this House.....

Mr. CRAWFORD: I said nothing of the kind, Mr. Deputy Speaker, I could not say that. I have no divine power, so how can I say that?

Mr. STRAUGHN: On a point of order, Mr. Deputy Speaker, can I remind the hon. member of what he has said for his own benefit? He said that if Sir Grantley Adams had not gone to the Colonial Office and had obviously been rebuffed, then the Hon. Premier of this island would never have brought this statement to the House.

Mr. CRAWFORD: That is not what I said. I said we would not have known that talks were actually going on between the Government and the Secretary of State for the Colonies and that is correct.

Mr. STRAUGHN: I want to ask him if those are not words to the same effect. How would he not have known?

Mr. CRAWFORD: We only knew, Mr. Deputy Speaker, in the most back-handed manner, because of all this talk about the *impasse* over the Governor and the appointment of Aldermen. Then he comes in a back-hand manner and says that his going to London has nothing to do with the Aldermen but he was going to talk about constitutional advancement for Barbados.

Now for the benefit of the Hon. Premier and the member for St. Joseph, let me say this: both the Opposition and the country are entitled to early notice on a matter of this sort. At no previous time in the colony's history, so far as I know, and certainly not in our time have constitutional talks with the Secretary of State for the Colonies been introduced or carried out without the previous knowledge of the Opposition.
4.25 p.m.

As a matter of fact, in any part of the Empire when these talks are going on between the Governor, the Government and the Colonial Office, the Opposition is first consulted and the Opposition and the Government come to some agreement on the proposals to be put forward to the Colonial Office. Before the current Constitution was promulgated, the leaders of all Parties in this House were invited to Government House and in a discussion with the Governor, they were told what the proposals were and were asked for their reactions on them. The position in which we are now is this. On March the 26th, according to the Hon. Premier, he got an invitation to go to London to discuss this question of constitutional reform because he complained that even Jamaica had gone ahead of us.

Mr. DEPUTY SPEAKER: Whom are you speaking of?

Mr. CRAWFORD: The same person who got the invitation.

Mr. DEPUTY SPEAKER: Who got the invitation?

Mr. CRAWFORD: The Premier.

Mr. DEPUTY SPEAKER: When you are referring to the Premier, say the HON. PREMIER, do not go on to say "he, he," all the time.

Mr. CRAWFORD: "He" is a personal pronoun.

Mr. DEPUTY SPEAKER: It is not so in here when you are referring to an hon. member. (A Pause.)

It now being 4.30 p.m., this House now reverts to Government Business.

Hon. M. E. COX: When Government Business was under consideration, the Hon. Minister of Communications, Works and Housing was making his second reading speech on the Town and Country Development Planning Bill. Unfortunately, he is not feeling well and he had to leave the Chamber.

Mr. CRAWFORD: He intimated that he would postpone the Bill for further consideration.

Hon. M. E. COX: Mr. Deputy Speaker, he had not finished his second reading speech on the Bill. He intimated to His Honour the Speaker that he would not be back this afternoon and he would like his right maintained to continue his speech on it. You may make a pronouncement on this matter.

Mr. DEPUTY SPEAKER: Do you mean to say that you are not making a motion for the postponement of the further consideration on this Bill in the absence of the Hon. Minister?

Hon. M. E. COX: No, Sir.

Mr. TUDOR: Mr. Deputy Speaker, ...

Hon. M. E. COX: I am on my feet.

Mr. DEPUTY SPEAKER: The hon. senior member for St. Lucy must take his seat. I am not allowing any kind of debate on this matter. The Hon. Leader of the House and the Clerk were speaking and I am just awaiting the Hon. Minister to resume.

Mr. TUDOR: In the meantime, I rose on a point of order.

Mr. DEPUTY SPEAKER: The Hon. Minister had not finished speaking.

Mr. TUDOR: Do you mean to say that I have no reason to speak on a point of order?

Mr. DEPUTY SPEAKER: The hon. member must take his seat and let us get on with the business of the afternoon.

Mr. TUDOR: I have risen on a point of order.

Mr. DEPUTY SPEAKER: The hon. member has risen on a point of order.

Mr. TUDOR: Mr. Deputy Speaker, inasmuch as the Hon. Minister of Communications, Works and Housing, before he left this Chamber intimated that he would like to give more time to the Opposition to consider the Bill with which we are dealing, I wonder if Your Honour would give this House some intimation as to how best the Item can be kept on the Order Paper as it is not the wish of the Opposition that it should be taken off the Order Paper.

Hon. M. E. COX: Sir, I beg to move that further consideration of the debate on the Town and Country Development Planning Bill be postponed.

Hon. L. St. A. THORNE: I beg to second that.

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

Mr. DEPUTY SPEAKER left the Chair and Mr. SPEAKER resumed the Chair.

HOUSE RESUMES COMMITTEE ON THE HIRE PURCHASE BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Leader of the House: To move the House into Committee on a Bill to amend the law with respect to the Hire Purchase and sale upon credit of goods.

Hon. M. E. COX: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

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

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

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. SEARLES in the Chair. 4.35 p.m.

Clauses 1, 2 and 3 were called and passed.

Clause 4 was called.

Hon. M. E. COX: Mr. Chairman, in this Clause I am asking leave to make an amendment, that is to remove the comma after the word "price" occurring in line four of Sub-clause (1) (a).

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

Hon. M. E. COX: With that amendment, Mr. Chairman, I beg to move that Clause 4 stand part.

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

Mr. CRAWFORD: Mr. Chairman, - before you put the question, I am wondering whether the hon. introducer of the Bill would care to explain more fully exactly what Clause 4 seeks to do. It is stated here in this Section as follows:-

"Before any hire purchase agreement is entered into in respect of any goods, the owner shall state in writing to the prospective hirer otherwise than in the note or memorandum of the agreement, a price at which the good may be purchased by him for cash, in this Section referred to as the 'cash price'." Precisely what does that mean?

Hon. M. E. COX: I think that that Clause explains itself. I think that the hon. member is aware that in respect of the purchase of these items, sometimes the owner of the items may be inclined to add an additional charge if an item is sold on the instalment basis. This Clause seeks to compel the owner to tell the hirer what the cash price of the item would be before any agreement is entered into. In other words, if the cash price of an item is \$50 and on the instalment basis another \$5 or \$10 is added, the hirer has the right to know, if he were purchasing this item for cash, what it would cost. That is what is intended.

Mr. CRAWFORD: That is perfectly simple and straightforward but surely the matter goes further than that. One may say that if the hire-purchase price is considerably in excess of the cash price, then the hirer can refuse to buy the article. The essence or the real advantage of a Clause like that is that you are going to penalise the seller for any attempt to exploit the hire-purchase agreement in the sense that the seller is going to make the hirer pay an excessive price for an item because he is buying it under the hire-purchase arrangement. The hire-purchase system has now gone into the phase of big business. In British Guiana, in Jamaica and in Trinidad you have people operating whose only business is to buy hire-purchase agreements. The sellers say: "All right, you pay down \$75 and so much a month." Then they turn around and sell your agreement to a firm of brokers who have to be paid a premium naturally for giving the cash to the merchant and for guaranteeing the date or the time over which the agreement extends. In other words, you have two sources of profit in this matter now. In the old days, it was only the seller who would make a profit but now you have two people to make a profit on the same article. There is hardly

any great advantage in saying that the seller has to put on the agreement the cash price of the article. If you are protecting the public, you have to go the whole way. Normally under the Emergency Regulations we would institute a sort of price control providing that the profit margin on any given commodity be limited under a Control of Prices Order. It should not be beyond the capacity of the Government to include in a Bill of this sort some regulation protecting the public against excessive profits on the part of merchants merely because you are buying an item on an extended credit basis.

Mr. Chairman, as you know from your own experience - that is not to be taken personally, I mean from what you know goes on in this island - people are compelled to buy a great portion of their every-day necessities on credit. This Bill before us seeks to protect people, who have paid a certain amount on an article under a hire-purchase agreement, from forfeiting the article after they have paid that certain amount of money on it; it is a common practice that if you pay seven-eighths of the purchase price and you default, then the article is forfeited. My contention is that there is no advantage to be gained from inserting a proviso compelling a merchant to set out the cash price of an article and then not by law preventing him from fleecing the person who is taking the article on a credit. People must be protected against themselves. Sometimes you need a thing so badly that you are willing to pay almost twice the price for it because you have not got the money; but we want to protect people in matters of this sort. Therefore there should be inserted in this Bill a penalty Clause to protect the public against undue exploitation by vendors who are selling goods to people under hire-purchase agreements. In other words if the cash price as compared with the hire-purchase price represents more than a given percentage of profit, well then, there should be some penalty attached to the efforts of people who try to take advantage of the situation. You may say that the law is being amended but in my opinion what is set out here is not good enough. 4.45 p.m.

The question that Clause 4 as amended stand part was put and resolved in the affirmative without division.

Clause 5 was called.

Hon. M. E. COX: Mr. Chairman, I am asking leave to remove the comma after the word "price" in section 5, sub-section 1(a).

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

Hon. M. E. COX: I beg to move that Clause 5 as amended stand part.

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

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

Clause 6 was called and passed.

Clause 7 was called.

Hon. M. E. COX: Mr. Chairman, I am asking leave to delete the word "any" in sub-section (c), line 6 and substitute therefor the word "the".

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

Hon. M. E. COX: I beg to move that Clause 7 as amended stand part.

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

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

Clauses 8 to 23 inclusive were called and passed. The Schedule was called and passed.

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

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

Mr. TALMA: Mr. Chairman, before you put the question, I am asking leave to recommend Clause 10 on the

grounds that the hirer under the Hire Purchase Agreement should receive greater protection, and I am going to suggest that an implied warranty be added as to the price, because the price can be misrepresented. Clause 4 appears to be doing something but in reality does nothing; it is just an empty Clause which can always be circumvented. If you want to tie down the owner of the goods and protect the buyer, you have to give the buyer, who is the hirer, a warranty which can be inserted here in Clause 10 so that the price will not be misrepresented. Clause 4 is meaningless and if you want to protect the buyer you must insert an implied warranty as to the price. I am asking the Government to give way to reason. Do not think that because the Opposition is only four in number, you should not see a reasonable point. Government is doing a good thing, but unless you add an implied warranty to the Clause on which the whole thing hinges, the whole thing is empty and worthless; so I am appealing to the appropriate Minister to see if he really wants to protect the public of Barbados he should at least give way and agree that an implied warranty as to the price should be added, because unless you do that, the whole Bill is empty and worthless, and I am sure the Government has no such intention.

I beg to move that Clause 10 be recommitted for the reasons I have just given.

Mr. CRAWFORD: I am seconding the motion because that is a point I was trying to make when Section 4 was under debate. As a matter of fact, sub-clause (c) of Section 10 reads as follows:-

"An implied warranty that the good shall be free from charge or encumbrance in favour of any third party at the time when the property is to pass."
4.55 p.m.

Well, as I explained a little earlier, we should be talking with our tongues in our cheeks if we did not admit that we know according to the manner in which hire-purchase is attended in this country today profits do pass to a third party. I would say that all the important business places in this country which deal with hire purchase pass on agreements to a third party for consideration. We should be blinding ourselves to all the circumstances under which hire-purchase operates in this country if we allow Section 10 to pass without amendment.

Section 10 (1) reads as follows:-

10. (1) In every hire-purchase agreement there shall be -

- (a) an implied warranty that the hirer shall have and enjoy quiet possession of the goods;
- (b) an implied condition on the part of the owner that he shall have a right to sell the goods at the time when the property is to pass;
- (c) an implied warranty that the goods shall be free from any charge or encumbrance in favour of any third party at the time when the property is to pass;
- (d) except where the goods are let as second hand goods and the note or memorandum of the agreement made in pursuance of section four of this Act contains a statement to that effect, an implied condition that the goods shall be of merchantable quality, so, however, that no such condition shall be implied by virtue of this paragraph as regards defects of which the owner could not reasonably have been aware at the time when the agreement was made, or, if the hirer has examined the goods or a sample thereof, as regards defects which the examination ought to have revealed.

If this Section is not to be observed in the breach, you will have to investigate the entire question of hire-purchase in Barbados.

I know of one firm, because I had special business with them on the matter before they came here from Trinidad, and there may be more businesses in the West Indies today whose sole business is to purchase hire-

purchase business. How can you pass this section as it is unless you are blinded to all of the facts and merely putting a Act on the Statute Book which does not mean a thing to the people of the country?

As I have said before, under section 4 there should be some penalty attached if there is any malpractice or exploitation on the part of the vendor of the commodities under an hire-purchase agreement.

Mr. TALMA: Sir, an implied warranty under any hire-purchase carries with it the right of action by the hirer against his seller as to the price. In other words, it carries with it the right of action for damages arising if the implied warranty is not kept. In other words, if the price is wrong, that in itself would entail enough for a penalty; but in this case, there are many warranties and conditions implied, but none as to the price of the goods. Therefore, if you permit Section 4 to go as it is, that is to say as at 4 (a) if the hirer has inspected the goods or like goods and at the time of his inspection tickets or labels were attached to or displayed with the goods clearly stating the cash price, either of the goods as a whole or of all the different articles or sets of articles comprised therein, that section shall be deemed to have been sufficiently complied with, that does not mean anything because any price can be attached.

The question is whether the price attached is a true price or an inflated price. The very idea of hire-purchase is that you are paying almost twice as much for the article but you are buying it on easy terms and you are buying it on an instalment basis. If you speak of giving a full disclosure of the initial price, in other words, what you would have paid for the article if you had bought it cash and not by way of an instalment basis by hire-purchase, you are seeking a merchant to make a full disclosure as to the true price of the article if you were selling it cash.

There is no Clause compelling him to make a full disclosure or to give the true price of an article or, in other words, to speak the truth, so to speak. There is no penalty attached; therefore, he is not supposed to carry out the terms of section 4 and whether he carried it out or not, nothing will happen to him.

In Clause 10 you speak of an implied warranty and conditions; so what we are asking the Government to do is to have a warranty that the initial price be included among the numerous warranties implied under Clause 10. It is a liability into which the hirer is entering and unless you give him that warranty you are not giving him anything. The Bill would be an empty Bill without it. We are asking you to insert a warranty as to the cash price so that the basis of the hire-purchase agreement would be more clearly defined and established.

Clause 10 reads as follows:-

"In every hire-purchase agreement there shall be -

(a) an implied warranty that the hirer shall have and enjoy quiet possession of the goods;

(b) an implied condition on the part of the owner that he shall have a right to sell the goods at the time when the property is to pass;

(c) an implied warranty that the goods shall be free from any charge or encumbrance in favour of any third party at the time when the property is to pass;

(d) except where the goods are let as second-hand goods and the note or memorandum of the agreement made in pursuance of section four of this Act contains a statement to that effect, an implied condition that the goods shall be of merchantable quality, so, however, that no such condition shall be implied by virtue of this paragraph as regards defects of which the owner could not reasonably have been aware at the time when the agreement was made, or, if the hirer has examined the goods or a sample thereof, as regards defects which the examination ought to have revealed."

Having put in the various warranties and conditions as set out here, I am asking for the insertion of an implied

warranty that the cash price as is stated in Clause 4 at the time when the property is to be passed to the hirer be included. By so doing you will be protecting the hirer as to the price of the article. Unless you do that, any price can be asked.

Mr. Chairman, I am not trying to get any credit for myself; I am trying to assist the Government in putting on the Statute Book something dealing with hire-purchase law which would protect the poor classes of this island from now on; and unless the Government agrees to the insertion of this implied warranty, the whole Bill is empty, worthless and means nothing. It would mean the putting on the Statute Book of legislation which would not be carried out and which would be only worthwhile to the owner of the goods. It would be only just a splash in the pan, and you will hear on the public platforms that we have a hire-purchase agreement whereby the small man will be protected but the big man, the owner of the goods, will not be bound to anything.
5.05 p.m.

Mr. CRAWFORD: When we came to Clause 4 I pointed out that by merely putting the price at which the goods may be purchased for cash in the Memorandum of Agreement, does not mean anything. My own suggestion is this; the price at which the hire-purchaser should buy an article should not exceed the cash price plus the maximum rate of interest obtaining in the island. That is to say, if the cash price is \$70 or \$75 and you wanted to buy the article under a hire-purchase agreement you should not pay more than \$70 or \$75 plus the maximum rate of interest which the merchant is called upon to pay for overdraft so as to carry on his business. If the maximum rate is 6%, then you should pay \$70 or \$75 plus 6%. You cannot allow the hirers to be exploited by these hire-purchase agreements merely because they have to buy articles on credit. We have a lot of these itinerant vendors exploiting the people in the rural areas because they sell on credit. You have to buy a dress length at twice the price at which you would buy it in Bridgetown if you had the money to pay for it. I am saying that you should protect the purchaser by inserting some penalty Clause and putting some curb on the margin of profit allowed on these hire-purchase agreements. My contention is that the merchant can borrow money under the maximum interest rate which is the law; but let us assume that he cannot do that, and therefore let us give him the cash price of his article plus the maximum interest rate for the hire-purchase agreement.

Hon. M. E. COX: I should like to say that, unlike the two hon. members who have just spoken on this question and who apparently are not well aware of the implications of this particular clause, this is a matter with which I have been dealing for years. This Bill has been drafted partly on the Trinidad, the Jamaica and the U.K. model and in respect of this particular clause to which the hon. senior member for St. Philip has referred, there is absolutely nothing in what he has said as far as the question of the warranty is concerned. The warranty does not apply to the question of price but to quality. As set out in Clause 4 of this Bill - I will read it again. It says:-

"Before any hire-purchase agreement is entered into in respect of any goods, the owner shall state in writing to the prospective hirer, otherwise than in the note or memorandum of the agreement, a price at which the goods may be purchased by him for cash....."

In other words, the price of the item will be set out in the Memorandum of Agreement; but before that is done, the cash price of the item will be given. Where the matter of the cash price is concerned, that is not in question at all. That has been done.

Mr. CRAWFORD: It is not a question of the cash price at all. What the Hon. Minister is saying there anybody can read; we know that the cash price will be set out, but what we are saying is that there should be some regulation as to the difference between the cash price and the hire-purchase price. That is all we are saying.

Hon. M. E. COX: It is not for us at this stage to say what the profit or the difference between the cash price

and the hire-purchase price should be. What does he expect us to do? What we are saying is that if cases of exploitation are made out, under the Price Control Regulations the Government has power to enforce price control or regulate the price of any item. We cannot set out in this Bill that if the price of a machine is \$75, for instance, that you should only charge 3%, 4%, 10% or 20% under hire-purchase; we cannot say that. I repeat that this Bill is really a means of protection for the small man, the hirer, who never had this protection before. As it was, if a hirer paid up his instalments to the one before the last, and he failed to pay that last instalment on time, then the owner could repossess the item without having to repay one red half cent. This Bill provides that if you pay 66 2/3% of the price to the owner of an article, if that owner wants to get the remainder of the money, he cannot re-possess the article; he has to go through the channel of the Court.

I repeat that this legislation is for the purpose of helping the hirer. It is not that we will take the credit and get on public platforms and say that we did this and we did that; we do not have to go on public platforms and say that we did this and we did that. We say in this Bill that the seller has to tell the hirer that he must pay \$60, or \$70, or \$80 or \$100 if he has this article on credit. Before you sign the hire-purchase agreement you have to get a document pointing out what the cash price of the item is; therefore it is left to the hirer to say whether the amount which has been put into the memorandum of agreement is extravagant or reasonable. That is the position; that was not the state of the law before. In the memorandum of agreement there has to be stated the price at which the goods may be purchased for cash.
5.15 p.m.

Clause 4 goes on to say -

Provided that this subsection shall be deemed to have been sufficiently complied with -

- (a) if the hirer has inspected the goods or like goods and at the time of his inspection tickets or labels were attached to or displayed with the goods clearly stating the cash price, either of the goods as a whole or of all the different articles or sets of articles comprised therein, or
- (b) if the hirer has selected the goods by reference to a catalogue, price list, or advertisement, which clearly stated the cash price either of the goods as a whole or of all the different articles or sets of articles comprised therein.

A warranty in my humble opinion only applies in so far as the quality of the goods is concerned.

Mr. TALMA: On a point of order, there could not be any more misleading point than that. When we read here that "in every hire purchase agreement there shall be an implied warranty that the hirer shall have and enjoy quiet possession of the goods," does that mean quality too? There are these words "implied warranty", "implied covenant" and "implied conditions". Implied warranty is an implied undertaking; that is all it is. If you want to use a stronger phrase which would bind the parties more closely, you can use the phrase "implied covenant" or failing that "implied condition." The question is which one you are going to decide to use.

Hon. M. E. COX: That is not a point of order. If the hon. member just goes on to sub-clause (b) and

Mr. CHAIRMAN: The hon. member must bear in mind that we cannot have any debate on this until the whole Bill has been passed, and therefore I am not going to allow any further debate at this stage; and I will read the Rule.

"At the conclusion of the proceeding in Committee on a Bill recommitted under the provisions of this Order, the Chairman shall put the question 'that the Bill (or the Bill as amended on recommitment) be reported to the House' which question shall be decided without amendment or debate.

If any member desires to delete or amend any provisions contained in a Bill as reported from a Committee of the whole House or to introduce any new provision therein, he may at any time before a member rises to move the third reading of the Bill move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule, no notice of such motion being required, and if the motion is agreed to the Bill shall stand so recommitted. The House may then upon motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day."

At this stage therefore, I am not going to allow any further debate.

The question that Mr. CHAIRMAN do now report the passing of the Bill in Committee with amendments was put and resolved in the affirmative without division, and Mr. SPEAKER resumed the Chair and reported accordingly.

Mr. TUDOR: Mr. Speaker, on a point of order, before Your Honour resumed the Chair and before the Chairman had left, when the results of the motion were announced, the Opposition called for a division which was not put and Your Honour resumed the Chair before the Committee stage was completed.

Mr. SPEAKER: It is no business of mine whether or not a division was called for. As soon as I came to the Chair, the Chairman made a report to me. The House in Committee should have done its business in the right and proper fashion. When the Chairman gives me a report and I pronounce that report to the House, what transpired in Committee is absolutely no concern of mine. The Chairman is absolutely in charge of the Committee; and whatever is done, the Speaker has to presume has been done in order.

Hon. M. E. COX: Mr. Speaker, in moving that this Bill be now read a third time, I want to assure Your Honour and this House that at no time did the other side call for a division.

Mr. TUDOR: Mr. Speaker, that is an untruth.

Mr. SPEAKER: We have passed that stage.

Hon. M. E. COX: Mr. Speaker, I beg to move that this Bill be now read a third time.

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

Mr. TALMA: Before the question is put, Sir, there is an amendment which I made in Committee and according to the new Rules of the House, I have been advised that the House had to resume and now is the appropriate time to move that Clause 10 be recommitted and the House go back into Committee, and if I may give you the reasons --

Mr. SPEAKER: I need not have those reasons, unless the hon. member wants to inform the House; but as far as the House is concerned the hon. member is quite within his right to make such a motion at this stage. If he thinks any extra information is needed, he may also do so, but still not to my benefit.

Mr. TALMA: For the benefit of the House, Sir, Clause 10 attempts in many respects to give certain guarantees and conditions and to see that they are complied with. There are "implied conditions" and "implied warranties" which are good in themselves, but which do not touch the main body of the hire purchase matter, namely, "hire purchase price." Unless it touches the question of price which is a material factor, all the other implied warranties, undertakings and conditions do not mean very much and do not protect the hirer, who would be the purchaser, to any great extent. It is for that reason that I would like to have the Clause amended, because in Clause 4 you will see that the question of cash price is stated and no mention is made whatever as to the cash price in Clause 10 where the numerous guarantees and conditions are stated. That, Sir, is not good enough.

The object of the Bill is to provide greater protection to the hirer, to the poor party, who is acquiring goods under the hire purchase agreement, and unless you have the price properly settled once and for all and the cash price

Mr. SPEAKER: I am not doing this to interrupt the hon. member, but certainly if hon. members have been told what are the provisions of Standing Order No. 46, at paragraph 1, they will know what is the position. I am going to read it at dictation speed.

"If any member desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole House or to introduce any new provision therein, he may at any time before a Member rises to move the third reading of the Bill move that the Bill be recommitted either wholly or in respect of"

If hon. members would listen to me and pay me the ordinary courtesy, then I can read to them.

Mr. CRAWFORD: We are listening to you, Sir.

Mr. SPEAKER: It is not what an hon. member says; it is what he does. I will have to read it again.
5.25 p.m.

Mr. SPEAKER: I will have to read it again:

"If any Member desires to delete or amend any provision contained in a Bill as reported from a Committee of the whole House or to introduce any new provision therein, he may at any time before a Member rises to move the third reading of the Bill move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule, no notice of such motion being required, and if the motion is agreed to the Bill shall stand recommitted. The House may then upon motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day."

The emphasis is on the words "before a Member rises to move the third reading ----." The third reading of the Bill was moved and seconded before the suggestion in the House of recommitment; therefore, the hon. member unfortunately is out of order according to Standing Order No. 46, paragraph 1.

Mr. TUDOR: Mr. Speaker, I rise on a point of order. I am not questioning that the hon. member is out of order, but I am saying that if he were, he was misled by the Clerk. There seem to be twenty-six hon. members in this Chamber and I decline to remain in this Chamber after what has taken place this afternoon.

Mr. CRAWFORD: Mr. Speaker, do you recall when you resumed the Chair yourself and you said that you had no control over what transpired in the House in between, that you said then that the correct time for doing it was after the motion for the third reading had been moved? That is the same thing which was said by the Clerk.

Mr. SPEAKER: Oh no. I have already read the paragraph.

Mr. CRAWFORD: Is it not correct to say that the hon. member was making the motion and you presumed that the motion was correct and when the Clerk said that it was not right, you then said what you said?

Mr. SPEAKER: I can only go by what is before me.

Mr. TALMA: In the first instance, I rose to speak before the Minister moved the third reading of the Bill. Fearing that I may be tricked, I got up to speak but Your Honour was on your feet. No sooner than you sat, the Hon. Minister got up. I took the advice of the Clerk that I could do it after the motion for the third reading had been moved. If we had printed copies of the Standing Orders here, I would be able to see whether I was right or not.

Mr. SPEAKER: Each hon. member had in his possession a copy of the Rules of this House.

Mr. TALMA: We want it here.

Hon. M. E. COX: I would like, if Your Honour would just bear with me, just to say this. The hon. senior member for Christ Church talked of being tricked by me. Where I am concerned, there is no question of tricks.

Mr. Speaker, I am asking leave to withdraw the motion for the third reading so as to allow the hon. member to put his motion.

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

Mr. SPEAKER: The hon. senior member for Christ Church can now put his motion.

Mr. TALMA: I decline.

Mr. CRAWFORD: Mr. Speaker, I am moving that Section 4 be recommitted.

Hon. M. E. COX: Mr. Speaker, I rise on a point of order. As far as I gathered from the hon. member, he wanted to recommit Section 10.

Mr. CRAWFORD: Sir, it was Section 4 to which I took original objection. The outburst on that side of the Table does not bother me.

Mr. SPEAKER: The hon. member may stick to his motion.

Mr. CRAWFORD: The Hon. Minister knows so much of this Bill -

Mr. SPEAKER: That is not before us at the moment. We are dealing with the recommitment of Section 4.

Mr. CRAWFORD: When we were dealing with Section 4, I referred to the fact that under the provisions of Section 4, the owner of the goods must put in a memorandum of agreement, with the price at which the goods may be purchased by him for cash, except under certain conditions.

Now, the mere fact that you have to put in a cash price in the memorandum implies that there must be some desire that the hirer should know that price.

Hon. M. E. COX: Mr. Speaker, I rise on a point of order. That is misleading. The cash price must not be put in the memorandum; it must be put on a separate document.

Mr. CRAWFORD: The hon. member was dealing with it for two years and yet he is still taking a lot of *ad hoc* decisions from the Clerk.

Under Section 4, before any hire-purchase agreement is entered into in respect of any goods, the owner shall state in writing to the prospective hirer, otherwise than in the note or memorandum of the Agreement, a price at which the goods may be purchased by him for cash. The moment you have to specify a cash price shows that some where along the line there is the intention to protect the purchaser.

Mr. SPEAKER: The hon. member is now giving his reasons for asking for recommitment. Will the hon. member stick to that?

Mr. CRAWFORD: Yes, I am doing that. What is the point of asking the vendor to state the cash price unless you want to protect the purchaser from paying over and above the price of the article? The moment you state that, you want to protect him from undue exploitation.

The hon. senior member for Christ Church has suggested, as nothing was done with this Section, that as Section 10 deals with implied warranty and conditions, you put in another implied warranty to prevent the purchaser from undue exploitation.

Mr. SPEAKER: That Section is not before us now. The hon. member is giving his reasons for wanting Section 4 recommitted.
5.35 p.m.

Mr. CRAWFORD: I want to have Clause 4 recommitted because I feel that the motive behind the requirement to state the cash price in this Section is to protect the purchaser from undue exploitation as between the cash price and the hire purchase price. Mr. Speaker, I believe that although we have been told that this Bill has been drafted on the Trinidad and Jamaica model, neither the laws of Jamaica nor those of Trinidad are like the laws of the Medes and Persians which changeth not, if we find that we can go further than they have gone to protect the public of this island. None of the hon. members on this side of the House would regard either Jamaica or Trinidad as a criterion for legislation in anything affecting Barbados. What the Hon. Minister has said I have said before; he has said that we have the Price Control Regulations and in the ordinary course of events we can institute price control under the Regulations. But that is not good enough for this Bill; sooner or later most of these regulations will be rescinded, and in this hire purchase Bill we need to have some protection against undue exploitation or against usurious principles being allowed to operate, merely because people cannot afford to buy goods for cash and want to credit them. The hon. member knows that we realise that this Bill seeks to protect the public in the ordinary hire-purchase transactions. As a matter of fact, the hon. junior member for St. John gave notice of a Bill for a similar purpose about three or four weeks ago, and while I am on my feet.....

Mr. SPEAKER: I think that the hon. member is now adducing arguments for the House going back into Committee, and I think that any further argument would serve a better purpose in Committee than at this stage.

Mr. CRAWFORD: Mr. Speaker, I sincerely hope that Your Honour's prophesy will prove justified.

Mr. TALMA: I beg to second the motion of the hon. senior member for St. Philip.

The question that Clause 4 be re-committed was put and resolved in the negative, the House dividing as follows:-

AYES: Messrs. TALMA, CRAWFORD and BRANCKER - 3.

NOES: Mr. SEARLES, Hon. Dr. H. G. H. CUMMINS, Hon. M. E. COX, Hon. D. D. GARNER, Hon. L. St. A. THORNE, Hon. F. E. MILLER, Messrs. T. W. MILLER, STRAUGHN and SMITH - (9).

Hon. M. E. COX: Mr. Speaker, I beg to move that this Bill be now read a third time.

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

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

On the motion of Hon. M. E. COX seconded by Hon. D. D. GARNER, the Bill was passed.

RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENT (PAYMENT OF PASSAGES) (AMENDMENT) ORDER.

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier:- To move the passing of the following Resolution:- Resolution to approve "The Civil Establishment (Payment of Passages) (Amendment) Order, 1959."

Hon. Dr. H. G. H. CUMMINS: With regard to this Order, Mr. Speaker, the question has now to be put.

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

PEASANTS' LOAN BANK (AMENDMENT) BILL

Mr. SPEAKER: The next Order of the Day also stands in the name of the Hon. Premier:- To move the second reading of a Bill to amend the Peasants' Loan Bank Act, 1936.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this Bill seeks to make provision for the payment of pensions and gratuities to the staff of the Peasants' Loan Bank. As the position is now, the Staff of this Bank is not eligible for pension and this Bill provides for the payment into the Public Treasury in each year out of the funds of the Bank, of a sum equal to one quarter of the total sum paid in each year. In that way it is proposed to make provision for pensioning the staff. A provision of this sort is also being made for employees of certain other Statutory Bodies who are not at present eligible for pension, the Government having recently come to the conclusion that pensions should be provided for employees of these Bodies.

This Bill also seeks to enable the Bank to employ a watchman and that he be paid according to the regular rates provided by the Government and approved of by the Legislature.
5.45 p.m.

You will see that the Bill also seeks to provide, by repealing and re-enacting Schedule D, for increase in the staff of the Bank. This amendment provides for the employment of an Accountant, a Secretary and an additional Long Grade Clerk. The salaries to be paid to these officers are also set out in the Schedule.

I beg to move that this Bill be now read a second time.

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

Mr. SMITH: Mr. Speaker, I am very glad to see that the Government has begun to consider the staff at the Peasants Loan Bank. It is true that, being a Bank run by a Board, the Officers are not considered in the same way as Civil Establishment Officers; but surely the time has come when all the servants of one master should enjoy the same facilities, for although the Bank is run by a Board, the servants are still working for Government, yet up to the present the officers at this Bank are not qualified for a loan to build or repair their homes. I feel that the same way the Civil Establishment Officers are in the happy position to obtain a loan of that sort, the time has come when officers at the Bank should be treated the same way, because this Bank is doing a very good job; applications are increasing and loans are increasing, and the same work is being done by these officers. These officers have to do with money - not that they can take it and put it in their pockets - and they have to see to it that the applications are in order and that the loan is working in such a way that it is possible for the applicants to repay the loan in the next year and things of that sort, and having a dissatisfied staff doing that, as you know, anything is liable to happen.

I feel that the officers should have the same facilities as other Civil Servants - leave passages and the qualification for a loan.

Now, Sir, some years ago I asked a question in this House in connection with Government's amending the Act where it states that an owner has to pay or rather his property has to be worth 60% and then the Bank would loan him 40% to pay it off. I asked the Government to amend the Act so that the owner may pay 40% and the Bank loan him 60% instead of what it is now. That has not been done and I am asking the Minister in charge to see that such a thing is done so as to help the owners of these lands to get away from the high cost of interest today when they have to borrow money elsewhere.

There is another matter on which one may feel I am blowing my own trumpet, but I do not feel it is fair to the Directors of the Bank to be giving of their services all the time for nothing, when the Sugar Industry Agricultural Bank members are being paid. I think the time has come

when members of the Bank should be paid, and I am asking the Minister in charge to see to it that the members are paid in the same way as the Sugar Industry Agricultural Bank members.

There was a conference some time ago on Financing of Agriculture sponsored by the Agricultural Caribbean Commission, I think in Trinidad, and I would like to know the reasons why a delegate or representative from Barbados did not attend this conference.

Hon. D. D. GARNER: I would like the hon. member to repeat the question.

Mr. SMITH: I asked why a representative from Barbados was not sent to the Conference on Financing of Agriculture sponsored by the Agricultural Caribbean Commission which was held in Trinidad.

The question that the 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, Mr. SEARLES being in the Chair.

Clauses 1 to 5 inclusive were called and passed.

On the motion of Hon. Dr. H. G. H. CUMMINS seconded by Hon. M. E. COX, Mr. CHAIRMAN reported the passing of the Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

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

5.55 p.m.

THE BARBADOS FANCY MOLASSES PRODUCTION AND EXPORT BILL 1959

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister for Trade, Industry and Labour: Second reading of a Bill to amend the Barbados Fancy Molasses Production and Export Act, 1953.

Hon. M. E. COX: Mr. Speaker, this Bill is a very simple one. As hon. members will see, it seeks to amend the Barbados Fancy Molasses Production and Export Act, 1953, so as to remove that Clause which provides for a certain levy for groups of people working in the molasses industry.

I do not want to say too much on it at this stage, but I should only like to mention that the final payments were made last year to those persons who were displaced and they were made in accordance with those persons affected. The Barbados Workers' Union which represents the displaced people were in attendance at these discussions. We had long discussions and negotiations with them and they agreed to make these final payments. The displaced persons themselves also agreed and, as I have said, we made the final payments last year. Therefore, this section is accordingly omitted.

I beg to move that this Bill be now read a second time.

Hon. L. St.A. THORNE: I beg to second that.

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

Hon. M. E. COX: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

Hon. L. St. A. THORNE: I beg to second that.

Hon. M. E. COX: Mr. Speaker, I notice that there is no quorum and I am asking that the Bell be rung.

The Bell was rung, and a quorum obtained.

The question that Mr. SPEAKER leave the Chair, and the House go into Committee on the Bill was put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. SEARLES in the Chair.

Clauses 1 and 2 were called separately and passed.

On motion of Hon. M. E. COX, seconded by Hon. L. St.A. THORNE, Mr. CHAIRMAN reported the passing of one Bill in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. M. E. COX, seconded by Hon. L. St.A. THORNE, the Bill was read a third time and passed.

Hon. M. E. COX: That concludes Government Business.

RESOLUTION TO APPROVE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (NO. 5) ORDER, 1959.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I am sorry. That does not conclude Government Business for the Day. That is an oversight. The next Order with which I would like to deal is that which I referred to this morning as an amendment to the Civil Establishment (General) (Amendment) (No. 5) Order 1959, which was passed this morning.

The object of this Order is to back date the salaries of the Deputy Commissioner, the Superintendent, and the Director of Music to the 1st April, 1956.

I beg to move that this Resolution do now pass.

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

Mr. BRANCKER: Mr. Speaker, we are not withholding our support from this Resolution but I would like if the Hon. Premier would explain how this thing managed to take place. We are now requested in 1959 to provide for the back-dating to the 1st April, 1956, of the salary scales attached to the following posts in the Police Department of the Deputy Commissioner, the Superintendents and the Director of Music. It seems to me as if these gentlemen were suffering all this time from that which was due to them or to which they were entitled for the last three years or, on the other hand, they are now getting a windfall. I am wondering if any great pressure of work or a matter of personalities was involved in this delay.

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

6.05 p.m.

RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (NO.10) ORDER

Mr. SPEAKER: The next Order of the Day also stands in the name of the Hon. Premier:- To move the passing of the following Resolution:- Resolution to approve the Order entitled "The Civil Establishment (General) (Amendment) (No. 10) Order, 1959."

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this Order is similar to the one which we have just dealt with. In the case of the Police Inspectors there was a mistake made as far as the maximum salary was concerned. The new scale is from G. 7 - G. 6 and the maximum is \$3,360. I beg to move that this Resolution do now pass.

Mr. BRANCKER: Mr. Speaker, I shall resound the warning which I gave earlier today. The purpose of this Resolution is to upgrade the salaries of the Police Inspectors since you are abolishing or have abolished the post of Chief Inspector. You are dealing with the salaries of nine persons out of a proposed number of 608, and you know, Sir, what is the effect of that proposal in normal

circumstances. We are not opposing the increase to the Inspectors but we are assuring the Government that what must follow, if they want the other members of the Police Force below the rank of Inspectors to maintain their interest in their public duties, is that they come down to this House as soon as possible with some reasonable and rational increase in the salaries of the five hundred and ninety-nine persons who are below the rank of Inspectors. That will have to be done; otherwise you may get satisfied and perhaps efficient Inspectors, but whom will they have to inspect? Other dissatisfied, disgruntled and fed-up people, because whereas the people who are higher up have got their salaries upgraded, they are remaining under static conditions.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, in answer to the Hon. Leader of the Opposition I will repeat what I said earlier today; this is a recommendation of Mr. Godsall and not a revision of salary. That is all I will say; this revision is now being applied to these other people, the members of the lower ranks having already got what Mr. Godsall recommended for them. They have already got that.

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

MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr. SPEAKER: I have the honour to inform the House that I have received from the Honourable the Legislative Council the following Message:-

THE LEGISLATIVE COUNCIL TO THE HONOURABLE THE HOUSE OF ASSEMBLY

The Legislative Council have the honour to return to the Honourable the House of Assembly a Bill intituled an Act to amend the Customs Tariff Act, 1921 (to be cited as the Customs Tariff (Amendment) (No. 2) Act, which has been passed with amendments which are shown written on the Bill.

That has been signed by His Honour the President.

COUNCIL'S AMENDMENTS TO THE CUSTOMS TARIFF BILL

Hon. M. E. COX: Mr. Speaker, in view of the fact that the amendments which have been made to this Bill are just minor amendments affecting punctuation and two other minor amendments, I am asking leave that these amendments be dealt with forthwith.

There being no objection, leave was granted the Hon. Leader of the House.

Hon. M. E. COX: Mr. Speaker, in moving that these amendments be now read a first time, I will say that the Hon. Leader of the Opposition has already seen them and I therefore beg to move that these amendments be now read a first time.

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

Mr. BRANCKER: Mr. Speaker, while it is perfectly true that I have read these amendments, I thought that there was time enough to have them circulated from earlier today. I thought that our staff would have been enjoined to prepare copies and circulate them to hon. members. I personally, have seen these amendments and they are quite acceptable.

The question that these amendments be now read a first time was put and resolved in the affirmative without division.

Hon. M. E. COX: I beg to move that these amendments be now read a second time.

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

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

On the motion of Hon. M. E. COX, seconded by Hon. D. D. GARNER, the amendments were agreed to.

THE ADJOURNMENT

The Order Paper under Government Business having been fixed,

Hon. M. E. COX: Mr. Speaker, I beg to move that this House do now adjourn

Mr. BRANCKER: Mr. Speaker, before the Hon. Leader of the House moves the adjournment, I am asking that Order No. 4 under the Head "Private Members' Business" be made Order No. 2. As hon. members are aware, this Order is in connection with the Sandy Lane matter. From what I can understand, it would be wise for us to discuss this matter as soon as possible in view of certain action which is about to be taken in the parish in which I

happen to live and which is the same parish in which Sandy Lane is situated. I am submitting that the quicker this discussion takes place and the air is cleared of it, the better it will be.

Hon. M. E. COX: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday next, the 19th instant, at 12 o'clock noon.

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

The question that this House do now adjourn until Tuesday next, the 19th instant, at 12 o'clock noon, was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

6.15 p.m.