
THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1961

HOUSE OF ASSEMBLY

Tuesday, 18th April, 1961.

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. T. O. BRYAN, (*Chairman of Committees*); Mr. E. C. GODDARD; Hon. F. E. MILLER, (*Minister of Social Services*); Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. C. B. SEARLES and Hon. L. St.A. THORNE, (*Minister of Education*).

Prayers were read.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the meeting held on 15th March, 1961, have been printed and circulated amongst hon. members and unless there be any objection, these Minutes will be now taken as read and confirmed.

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

PAPERS LAID

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I am commanded to lay the following:-

The Civil Establishment (General) (Amendment) Order, 1961.

Statement of sums of money paid over to the Accountant General by the Commissioner of Police during the quarter ended 31st December, 1960.

The Pensions (Pensionable Offices) (Amendment) Order, 1961.

Statement showing Gross Customs and Excise Receipts for eleven months ended 28th February, 1961.

Hon. M. E. COX: Mr. Speaker, I am commanded to lay the following.

The Customs Duties (cardboard boxes and other containers of paper, etc.) Order, 1961.

Hon. R. G. MAPP: Mr. Speaker, I am commanded to lay the following:-

Statement showing the sums advanced to the Postmaster General for the payment of Money Orders, the amounts repaid to the Accountant General and the amounts due by the various Post Offices etc. to 28.2.61.

GOVERNMENT NOTICES

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

Resolution to approve the Order entitled "The Civil Establishment (General) (Amendment) Order, 1961.

Resolution to approve the Order entitled "The Pensions (Pensionable Offices) (Amendment) Order, 1961."

Hon. R. G. MAPP: Mr. Speaker, I beg to give notice of the following:-

A Bill to amend the Waterworks Act, 1895.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to give notice that the Oral Reply to Question No. 16/1961 asked by the hon. junior member for St. John regarding applications from Civil Servants for study leave is now ready.

Also Oral Reply to Question No. 34/1961 asked by the hon. junior member for St. Lucy regarding a breach of the peace on the Wharf on 9.1.61 involving Thomas Hicks and a Second Officer Thomas Belle of the S.S. Mauretania is now ready.

Hon. L. St.A. THORNE: Mr. Speaker, I beg to give notice that the Oral Reply to Question No. 41/1961 asked by the hon. senior member for St. Lucy regarding the resignation of the Principal of the Technical Institute is ready.

Hon. R. G. MAPP: Mr. Speaker, I beg to give notice that the Oral Reply to Question No. 36/1961 asked by the hon. junior member for St. Lucy in respect of the seaworthiness and adequacy of life saving equipment of vessels plying by sea between the territories of the Caribbean is ready.

QUESTIONS

Mr. BRANCKER: To enquire of the Appropriate Minister:-

Whether the sum of \$3,000 which was approved of by Resolution in this Chamber in 1960 as a grant from the Public Treasury to be placed at the disposal of the Governor-in-Executive Committee for the purpose of making three (3) loans of \$1,000 to each of three Assistant Light-house Keepers, has just been paid out?

If the reply to above is "yes", would the Minister state the date or dates on which each loan was paid out and to whom?
12.25 p.m.

Mr. BRANCKER: To enquire of the Appropriate Minister:-

(1) Whether he is aware that members of the Barbados Fire Service are frequently engaged at scenes of fire for unduly long periods of time (or are required to proceed directly from one fire to another) without opportunity for, or access to, their meals or any other refreshment whatsoever?

(2) Will the Minister, without delay, institute a Mobile Canteen Service whereby, under conditions or in circumstances such as above, reasonable refreshment will be supplied by the Service itself to such Firemen; such service as obtains in other communities?

(3) (a) Is it true that the normal weekly duties hours of Firemen in the United Kingdom do not exceed fifty-six, without overtime pay?

(b) Will the Minister initiate necessary measures whereby maximum weekly duty hours of Firemen in this Island will cease to exceed those of their counterpart in Great Britain?

Mr. TALMA: To enquire of the Honourable Minister of Communications, Works and Housing:

Is the Minister aware that a former employee of the Public Works Department called Cecil Norland Simmons of Welches Terrace, Kingston + Road, Saint Michael was continuously employed in that Department from 1921 to 1940 and received no gratuity for this 19 years continuous service?

2. Will the Minister cause the necessary investigations to be made with a view to directing that immediate action be taken so as to ensure the payment of the usual gratuity to the said Cecil Norland Simmons without delay?

Mr. BRANCKER: Mr. Speaker, may I on behalf of my colleague, the hon. senior member for St. Lucy, put the following question for oral answer:-

To enquire of the Hon. Minister of Education.

Has the Minister been informed that the Governing Body of Queen's College propose to re-employ a retired Deputy Headmistress as from next term in some capacity or other?

2. If the Minister has been informed, will he state the reasons for this step and the probable duration of appointment?

3. If he has not been informed, will he take steps to request the Governing Body to submit to himself the reasons for this step?

BILLS READ A FIRST TIME

On motion of Hon. R. G. MAPP, seconded by Hon. I. St. A. THORNE, the Bill to amend the Waterworks Act, 1895, was read a first time.

ORDERS Nos. 1 TO 20 EXEMPTED FROM STANDING ORDER No. 5

Hon. M. E. COX: Mr. Speaker, before you go to the Orders of the Day, I beg to move that Orders Nos. 1 to 20 inclusive, be exempted from the provisions of Standing Order No. 5.

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

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

THE LIQUOR LICENCES BILL, 1961

Mr. SPEAKER: The first Order of the Day stands in the name of the Hon. Minister of Trade, Industry and Labour: To move the second reading of a Bill to amend the Liquor Licences Act, 1957.

Hon. M. E. COX: Mr. Speaker, this Bill, as hon. members will see, seeks to amend the Liquor Licences Act of 1957 by: (1) removing the penalty attached for non-compliance to sub-section 6 of Section 27 of the principal Act. That section, Mr. Speaker, provides for a penalty of half the licence fee if one fails to make application for the renewal of a liquor licence within the prescribed time.

As Your Honour will remember, some time last year or year before last, we brought in an amendment which reduced the penalty, which at that time was equivalent to the licence fee paid, to half of the fee paid for a licence. Since then, Sir, we have been informed that there have been a few hard cases. Perhaps, I should like to say from the outset that it was never the intention of the Government to create any hardship on persons who fail to comply with the law, but I think the House will appreciate that whenever these applications are made, there is always someone who may be reluctant in complying, to say nothing of those who may not be aware of the changes; so, in order to get people to comply with the law, these penalties were imposed.
12.35 p.m.

As I said earlier, since we have reduced the penalty two years ago, we have also found that there have been a few hard cases. The Government feels therefore that it can well remove the penalty altogether because there is no large number of defaulters of the Act even although there may be ignorance of the provisions of the Act. That is the first part which seeks to remove completely any penalty for non-compliance with the provisions of the Act.

As regards the other part which is found in paragraph (b) of the "Objects and Reasons" of the Bill, there was no provision in the principal Act for the Labour Commissioner and the Labour Officers to inspect the premises upon which these people may be employed. On close examination and in comparison with the Shops Act, 1945, we have discovered that in the Shops Act, powers are given to the Labour Commissioner and his Labour Officers to make inspection of the premises. Under the Liquor Licences Act, no such powers are given. We are attempting in this Bill to harmonize, so to speak, the Liquor Licences Act with the Shops Act in which case the Labour Commissioner and his staff will be able to inspect not only clubs, hotels, and so on, where people are employed, but also Liquor Licensed premises where people are similarly employed.

Mr. Speaker, those are the intents and purposes of this amending Bill. I hardly think that there is anything more which I can say on this Bill at this moment because I have covered the two points in the Bill as set out in paragraphs (a) and (b) of the Objects and Reasons. If there is anything further which hon. members would like to know and I happen to be in a position to give the information, I shall be only too willing so to do. I beg to move that this Bill be now read a second time.

Hon. R. G. MAPP: I beg to second that.

Mr. GODDARD: Mr. Speaker, I am very glad for this amendment. When the Bill was first before the House, we pointed out at the time that even if you were to reduce the penalty to one half of what it was, that would still be inflicting on people a penalty which they could not bear. Every year people have been coming to me in order to see if anything could be done to relieve them of this penalty of \$25. I am glad that the Government has at least seen fit to remove this penalty entirely. You put a notice in the newspaper that something is going to take place at a certain date; people do not look at the calendar and it is only when they hear that somebody is in trouble that they find that they are also in trouble. No one is entitled to sell liquor without

having first taken out a licence and the Police would be informed immediately as to who has not renewed his licence.

The second purpose of this amendment is to enable the Labour Commissioner to enter upon licensed premises and prosecute offenders for breaches of the Act. Any liquor licensed business other than a Club falls under the Shops Act so that a number of private Clubs will be included. The Labour Commissioner and his officers would have power to enter these premises for the purpose of inspecting the hours of work of the employees there. The Labour Commissioner should have the right to enter upon any premises where people are employed for the purpose of inspection. For that reason, I am in entire agreement with this amendment.

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

On the motion of Hon. M. E. COX, seconded by Hon. R. G. MAPP, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BRYAN being in the Chair.

The four Clauses of the Bill were called and passed.

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

Mr. SPEAKER resumed the Chair and reported accordingly.

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

12.45 p.m.

LABOUR DEPARTMENT (AMENDMENT) ACT, 1961.

Mr. SPEAKER: Order No. 2 stands in the name of the Hon. Leader of the House: to move the second reading of a Bill to amend the Labour Department Act, 1943.

Hon. M. E. COX: Mr. Speaker, Order No. 2 is a Bill to amend the Labour Department Act, 1943. This is one of the Bills which I informed the House some time ago, after Mr. Matthews made recommendations as to the Labour Code for Barbados, that should be brought into being at different stages. In other words, instead of having one Bill which no doubt would be very voluminous, it was decided that from time to time we should bring in various amendments carrying out with modifications, of course, the proposals submitted by Mr. Matthews and the recommendations thereto.

This, as you will see, provides in the Objects and Reasons for inspections to be made by the Labour Commissioner and/or his Officers, and the various things are set out. I presume that members have already read the Objects and Reasons. Perhaps I should say before dealing with the various aspects of the Bill that the intents and purposes of this Bill have been submitted to the various organisations - the Barbados Workers' Union and all representative Organisations of the employers - and they have all agreed to the proposals as set out in this Bill. I should like to say that when these proposals were sent to the Barbados Workers' Union they did submit some form of modification which to a large extent has been accepted by the Government, and therefore I do not anticipate any opposition to this Bill, since, as I said, it has the general approval, even though this approval was given some time ago - almost a year now if not more - by the various Organisations.

The Objects and Reasons provide in paragraph (a) for labour inspection duties to be performed by the Labour

Commissioner, Assistant Labour Commissioner and Labour Officers, and these duties are defined in Clause 2.

Paragraph (b) of the Objects and Reasons says that no Labour Officer shall perform labour inspection duties in respect of any business or undertaking in which he has an interest directly or indirectly. While it is true that in the Colonial Regulations an officer cannot engage in business, nevertheless there may be cases where an officer's immediate family or connections or both could be engaged in business, and therefore this provides against an officer who is connected in any way remotely with any business having anything to do with that business in so far as inspection is concerned.

Now, Sir, paragraph (c) makes provision for the Labour Commissioner to be accompanied by a member of the Police Force. That is found in Clause 3. We felt that was necessary although it will hardly be necessary to seek the aid of a member of the Police Force regularly. That provision is made, however, that if, for instance, a Labour Officer has to approach an individual who was intractable and may have a high temper or something like that, the Labour Officer would be protected by having a Police Officer accompany him to this place.

In paragraph (d) an obligation will be laid on employers of ten or more workers to furnish the Labour Commissioner on request with certain information. As the 1943 Act stands, no provision for that had been made, and so we feel that it is absolutely necessary that all the information that is available should be produced for the Officer so as to be able to examine with great care and attention the complaint made by the aggrieved person.

In paragraph (e), the Labour Officers when performing labour inspection duties shall not divulge the sources of information or complaints concerning any contravention of the provisions of the Act. That is found in Clause 5, and I think you will also find it under the Wages Council Act. This is therefore provided for in this Labour Department Act.

Paragraph (f) says that no publication of any record prepared in accordance with the provisions of the Act shall disclose the particulars comprised in an individual Report or shall be so arranged as to enable particulars to be identified as relating to an individual person or business. This is found in Clause 6.

12.55 p.m.

I would like to say at this stage that the Labour Commissioner did not relish that too kindly because if, for example, there was a business place which carried on a particular business that another business place did not carry on and that individual had to make a report, obviously if he reported on that business, indications would be that he would be referring to that particular business; but in consultation with the Crown Law Officers, it has been found that it is impossible that he can get around that; therefore it was agreed that this sort of provision should be included in the Bill.

Then, in paragraph (h) of the Objects and Reasons, you will see that the Labour Commissioner, Assistant Labour Commissioner or a Labour Officer may institute proceedings in his own name against an employer for any contravention of or offence under the provisions of the Act. That is provided for in Clause 8. Your Honour will appreciate that these offences do not mean civil offences, but criminal offences.

I should like to say at this stage that this was one of the points which was raised by the Union which at first felt that the Labour Commissioner or his officers ought to be in a position to institute proceedings against people in civil actions; but after it was pointed out that by so doing you would more or less place the Labour Commissioner in a very individious position, the Union decided not to press that matter. It was also brought to the attention of the Union, as far as my notes go, that that applied more or less to backward countries or territories where penal sanctions existed. For that part, I think I am correct in saying that

the Union did agree not to insist that the Labour Commissioner or his officers should have power to institute proceedings where civil actions were concerned in his own name against an employer for any contravention of or offence committed under the provisions of this Act.

The last point which is complementary to a consequential Bill such as this before us is that regulations made by the Governor-in-Executive Committee under the Act be laid before both Houses of the Legislature as soon as may be after they are made and be subject to annulment by resolution of either House within 40 days of being so laid.

That is the intent and purpose of this Bill and if hon. members would like to ask any questions, I would be quite willing to answer. I only will remember hon. members again that Government sometime in 1955 got an I.L.O. expert to come here to go into the question of the Labour Code.

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

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

Mr. WALCOTT: Sir, this Bill is a non-controversial matter so far as I am concerned, because it is the sort of legislation that you have made from time to time. What I would like to say now, dealing with the Labour Department and hearing what the Hon. Minister had to say about Mr. Matthews, is that Barbados was never in need of a Labour Code because the codification of Barbados Labour Laws was not necessary. You could review them, but it was not necessary to codify them and I am pleased to see, despite what other people had to say, that Government had to fall back on that method because they found that out. Because they could not codify, they had to fall back on this and do it measure by measure.

Sir, I think the time has come when consideration should be given to making the Labour Department Office a more appropriate office for discussions to be conducted from day to day. I must say that I use that building more frequently than many people from other organisations, and I have found out, as well as others have found out, that there is not adequate accommodation there for both sides to have the private discussions which one requires at such meetings. When we meet there, very often we are forced to use the Labour Commissioner's private office because the office which is used as a conference room cannot accommodate full teams when they want to consult privately on matters before negotiations are ended.

I think it is essential that this Department should have those facilities which are now provided for in the Bill. I hope that they will also have appropriate officers to get the statistics because in Barbados it is appalling to find that you cannot get important statistical information from some of the Departments in this island, and I think that as regards the Labour Department the question of wages and conditions of employment should be given serious consideration.

The Hon. Minister made mention about the Labour Code and I would like to take this opportunity to say that I cannot understand why it is that the Minister is sending down this piece of legislation which is a matter which we do not regard as pressing today, and that what is of more importance is that the Minister gave notice of a Bill on the 10th January, 1961, to amend the Workmen's Compensation Act. That was one of the matters with which Mr. Matthews dealt and which in the process of the remarks of the Minister on that Bill he said that since it was sent down he had proposed to have further discussions on the matter. Today is the 18th April, which is more than three months after that Bill was sent down here and what we cannot appreciate, far from understanding, is how these types of Bills such as the one with which we are dealing can be considered more important than an amendment on the Workmen's Compensation Act which deals with people who get injured and who are getting injured more often today than before. It seems to me that a period of three months is a long time to have discussions on a matter

with which you were dealing ever since 1955. I will say no more than that today. I think if this sort of thing continues that the workers will have to do what workers do in Europe, that is, to stop work for an hour so that everybody would know that workmen's compensation is inadequate and that you are forcing people to do something about it. 1.05 p.m.

It is outrageous that a matter like this is being delayed. No discussion is being held at the level at which it should be held, and these matters which are relatively unimportant can be dealt with while an important measure is left off for three months. That is a long time for anyone to have the patience of hearing what you propose to do.

Hon. M. E. COX: Mr. Speaker, before you put the question, I could hardly allow the remarks which have just been made by the hon. member to go unchallenged. I have told this House on several occasions the reason for not bringing down a comprehensive Bill dealing with Workmen's Compensation. This Bill which is on the Order Paper has nothing to do with the Bill which is under discussion. I am prepared to defend the Government and the Ministry of Trade, Industry and Labour; since Your Honour has allowed the hon. member to speak as he did, I want to say that this Bill was brought in so as to meet hard cases which may come up during the time that the comprehensive Workmen's Compensation Bill is under consideration. I pointed out that the Bill sought to increase from \$1,800, the maximum which will be paid to the legal personal representative of a person who loses his life, to \$3,000. I said that there was an interim measure until such time as we would be able to bring down this comprehensive Bill before the House. I also said that, while we have agreed on the Bill which was brought before the House, since I read the Report of the Assistant Labour Commissioner to the Colonial Office, I was convinced that it was necessary for us to make further improvements on our Draft Bill. In other words, we want to give a workman or his dependants better concessions than what we have got in the Bill to be introduced before the House. I went into the Bill with the Crown Law Officers and the Labour Commissioner and after we got through all the various recommendations in the Report by the Assistant Secretary of Labour to the Colonial Office, we agreed to adopt these improved proposals and concessions.

Mr. Speaker, before that Bill could be brought before the House, we had to submit it to the Barbados Workers' Union and also to Employers' Organizations. As far as I gathered from my Permanent Secretary some four or five weeks ago, that Draft has been submitted to the Union. I am not in a position to say today whether the Union has replied or not because, frankly, it slipped me even to ask about it.

Mr. WALCOTT: On a point of order, I think that the hon. member should go back and ask his Permanent Secretary about this matter because he should speak of what is a fact. He should find out from the Permanent Secretary whether he sent this proposed draft to the Union or not.

Hon. M. E. COX: I did not state any particular date or time. (Mr. WALCOTT: It has not been sent.) Well, it would be unwise to bring it before the House before it has been submitted to the Union. Until such time as these bodies are able to examine these proposals and some agreement is reached, the Bill will not be presented before this House.

Mr. WALCOTT: On a point of order, May I explain, Mr. Speaker, to the hon. member what I did say? I said, with regard to the proposals dealing with Workmen's Compensation, that Mr. Matthews' Labour Code also made recommendations about Workmen's Compensation. If the hon. member had listened as he should have listened to what I said, he would remember that I said that on the 10th January, notice was given of a Bill to amend the Workmen's Compensation Act and subsequently the Minister said that he did not proceed with this Bill because they intended to have some discussion about this amendment. I said that three months had elapsed since then and up to this time we have not heard anything about this Bill. The point I raised was this: what are you doing about this Bill? I regard it as more important than these Bills which are now before us. The

hon. member should not state in any categorical manner that things had been sent to the Union; he must first check and see if that is so, because they have not yet been sent to the Union.

Hon. M. E. COX: I accept what the hon. member says. I apologise for that, but I was under the impression that the draft Bill had gone out to the parties concerned. The hon. member said that we were bringing down all of these unimportant Bills. (Mr. WALCOTT: Comparatively speaking.) As far as this Government is concerned, we have not got any time with non-important Bills; all the matters we bring before this House are very important matters. If you do not have the authority to inspect premises in order to see whether or not the law is being carried out, what is the good of making the law? You say that people must have an hour for food and the employers say that they must work right through or eat their food in their hands while they are working. You say that certain wages should be paid and that shops should be closed at 4 o'clock and the employer says: "Oh no, there is nothing doing." What is the point of having these laws if you do not have people to see that they are carried out? I want the hon. member to understand that it is just as important or more important to make sure that the laws are carried out as it is to have such legislation on the Statute Book.

1.15 p.m.

We do not go in for non-important items. I repeat, Mr. Speaker, that all our items are important, but if the member had given the slightest thought to what he was about to say before he said it, he would have seen that it is by far easier to draft something and to get through with something which could be regarded, taking his own words, as not so important as something that is very important, because the more important the item is, the more thought, consideration and cooperation have to be given to it.

I would like to tell the hon. member that as far as the Crown Law Office is concerned, not only drafting legislation is the function of these officers, but they have to prosecute cases, go to Grand Sessions, attend the Police Courts and things of that nature. While it is true that we press them as much as we possibly can — because nobody is more anxious to get legislation down here than we are — still we must appreciate that an individual can only give of his best and no more. While an officer is in Court prosecuting or otherwise, he cannot be in his office drafting law; and these voluminous and very important Bills take a very long time.

I repeat, Sir, that even sometimes when these things are drafted you are confronted with some sort of legislation perhaps recently passed in some other island, some convention which was agreed to at I.L.O. or something like that which demands your further attention, so as to make sure that when you bring something to this House it is as good as any existing anywhere in the world and better than a lot. I was amazed, Mr. Speaker, to see that in St. Kitts under this Workmen's Compensation Act greater concessions were granted than are granted under our old Act. Even the latest agreement they have reached does not extend to similar concessions in our Bill. Are you telling me that with my eyes open I would come to the House with lesser concessions in our Workmen's Compensation Bill than what obtains in a place like St. Kitts? (Mr. WALCOTT: Who asked you to do that?) Mr. Speaker, I repeat that this Workmen's Compensation is nothing to play with; it is something we are prepared to put on a very sound footing, having been given some of the best advice we could ever hope to get from the Assistant Labour Officer of the Colonial Office. We have also had advice from other places.

I have written to Canada and have had copies of their latest Workmen's Compensation Ordinances and these are also under study. I am prepared as soon as we have examined them thoroughly and have selected the best of these Ordinances that they be included in our legislation and then submitted to the House of Assembly. If people have to wait, it is better to wait for a little time and get the best than hurriedly to get some piece of second-hand thing which will let them down in a few days or weeks after.

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

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

Clauses 1 to 5 inclusive were called and passed.

Clause 6 was called. It reads as follows:-

6. The principal Act is hereby amended by inserting immediately after section 6A thereof the following new section to be numbered 6B —

6B. In any report, summary of statistics or other publication prepared in accordance with the provisions of this Act with reference to any trade or industry, the particulars comprised in any individual report shall not be disclosed in any manner whatsoever, or arranged in such manner as will enable any person to identify any particulars as being particulars relating to any individual person or business."

Mr. WALCOTT: Mr. Chairman, I am only using Clause 6 as a means of stating what I said earlier to the effect that the Labour Department should be a Department where you could get this very important information. The Labour Department should be so constructed that the various people who use it should be able to get information on a matter such as Workmen's Compensation. We do not know accurately, unless we get it from the insurers, the sort of information we would like to know as to the number of injuries and how frequently they occur. The Minister should see about this and also bear in mind that when I say that we require attention to be paid to similar labour legislation to be passed as they pass this, it is not for me to say here that the legislation which you are now passing you have not given attention to. This is part of the Labour Code, and Mr. Matthews was here in 1955, so I want the hon. member to know that it is not at this late stage in 1961 that you are now examining the thing in St. Kitts.

1.25 p.m.

We examined the one in St. Kitts and if the Hon. Minister read what we said, he will see that the Trade Union Bill is superior to the one which you have sent down. We are asking the Minister before he sends these Bills down to consult us. We were not consulted on the one which was sent down before this one and therefore we objected to it. You will note that the time when they pass legislation to which nobody objects is when we are consulted. What the Hon. Minister must bear in mind is that we do not write the Assistant Labour Adviser to the Secretary of State to get this information, but we have our sources of information and when we get our information we examine and deal with it quickly. This is not a new Bill. This relates to more inspection being paid, and this Bill is not as important as the Bill dealing with the amendments to the Workmen's Compensation Act. We say that the Bill dealing with the Workmen's Compensation Act is more important than this Bill with which we are dealing.

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

Clause 7, 8 and 9 were called separately and passed.

On motion of Hon. M. E. COX, seconded by Hon. D. D. GARNER, Mr. CHAIRMAN reported the passing of the Bill in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

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

THE AGRICULTURAL CREDIT BANK BILL, 1961

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Agriculture, Lands and Fisheries: To move the second reading of a Bill to repeal the Peasants Loan Bank Act, 1936, and to make other provision in lieu thereof.

Hon. D. D. GARNER: Mr. Speaker, this Bill seeks to repeal the Peasants Loan Bank Act, 1936-6, and to provide in its stead the Agricultural Credit Bank Act of 1961. As hon. members will recall, not so long ago I hinted to this House that a new Act will be coming down to the House which would embody more facilities than those granted under the Peasants' Loan Bank Act. Some sweeping changes are made to that Act and some of the old clauses are still incorporated in this new Bill with of course certain modifications and expansions.

Sir, I do not think this Bill is controversial because peasant proprietors have been hoping that it will be soon finalised so that some of the benefits which are now passed on to the farmers will be forthcoming to them. It is now a great pleasure for me to deal with the Bill in the hope that it will have the blessing of all hon. members here assembled.

I should say at the outset that we have made certain changes in this Bill. We have altered some of the old things and we have also brought in quite a few new things. I shall read here some of the things which this Bill seeks to do. It makes a provision for staff along similar lines as the staff at the Government Savings Bank. You can find this provision in Clauses 12 and 14 of the Bill.

The Bank is also empowered to make loans for any specific purpose to any cooperative society registered under the Co-operative Societies Act of 1949. That provision is found in Clauses 29 to 34. Then, Sir, the requirements for advertising the issue of loans has been removed. The Bank will now have a firm of Solicitors to search titles, etc. The Bank is also exempted from Trade Tax and Income Tax, rating by Local Government Councils, exemptions from stamp duties and other fees and that information is found in Clauses 36 to 38. Clause 39 requires landlords who supply tenants with the certificate required by paragraph (b) of Clause 21 to notify the Bank of the termination of tenancies of such tenants.

If you look at Clause 39 (a) you will see that every landlord who supplies a tenant with the certificate required by paragraph (b) of Subsection (1) of Section 20 of this Act shall, if the provisions of the Security of Tenure of Small Holdings Act, 1955 apply to the holding in respect of which the certificate is granted, serve the Board with a copy of any notice issued under that Act for terminating the tenancy of such holding.

Part V provides for the making of loans to owners and tenants, sets out the purposes for which loans may be made to owners and tenants, and the conditions applicable to the grant of such loans. Provision is also made in this Part of the Bill for the security of loans, the limit of credit which may be granted to owners and tenants and the disposal of crops charged with loans. Clause 25 prescribes in detail the time within which loans are to be repaid, and Clause 26 provides for the recovery of outstanding loans from owners and tenants on complaints made by or on behalf of the Bank before a Magistrate. Clause 27 retains the old provision for the inspection of holdings in respect of which loans are made and prescribes a penalty of a fine not exceeding one hundred dollars for any person convicted of obstructing a member of the Board or other authorised person carrying out an inspection. Clause 28 which is a new provision empowers the Board to make special loans to owners and tenants for the payment of premiums for the insurance of chattels offered as security for loans.

There are many things which I can say for this Bill but it would take me a very long time to do so. However, I do want to point out to this Honourable House some of the changes which have taken place and which this Bill intends to bring about. Heretofore, Co-operative Societies could not

get a loan from this Bank; but in this Bill there is provision for Co-operative Societies to be able to get a loan and that would go a long way in helping Co-operative Societies to carry out their commitments and their work. One of the big features in this Bill, is that we are providing for tenants. When the Peasants' Loan Act became law in 1936, no one perhaps at that time thought that there would come a time when an ordinary tenant without ownership of land would be able to get a loan on a gentleman's agreement. 1.35 p.m.

We have been doing that for the past few years. I would not say that there have been losses, but we have found it very necessary to have legislation to protect ourselves. For instance, any tenant who rents a piece of land from anybody can go to the Bank and borrow money without security; and we have found a few hard cases where people have sold their crop and have gone off to England or elsewhere. We do not want that state of affairs to exist because this Bank operates in the interest of the people of this island. As a Government, we are responsible to the people for the proper disbursements of funds. You will find that in this new Bill there are certain Clauses which seek to tighten up on that phase of the Bank's activities. I think that people should be glad that they have an agency such as this Bank where they can get loans and they should be only too glad to keep the Bank functioning by repaying their loans.

Some of the things which we intend to do in this Bill are very wide. There are cane farmers who find it difficult to get transportation for their crops and if these groups become registered they will be able to get money from the Bank for the purpose of buying lorries and so on. This Bill gives the Bank the authority to loan money even for the building of the garages and other things.

We have not left out the staff. Exactly what obtains at the Government Savings Bank now will obtain at the Agricultural Credit Bank. We have tried our best to fall into line with what happens at the Government Savings Bank; therefore the Staff at the Peasants' Loan Bank need have any fear of malpractice or maltreatment because whatever goes on at the Government Savings Bank will go on at the Agricultural Credit Bank.

Mr. Speaker, it has been said over and over again by interested parties that they would borrow money from time to time from the Bank, but they did not like the element of having their names advertised and how much money they were borrowing. Barbadians have a sort of pride in that when they want to borrow money they do not want their next door neighbour to know how they got this money; they like to keep their next door neighbour guessing. In order to satisfy these fancies, we have removed that provision. We are going to make more searches by way of the Bank's Solicitors. It is a good thing to let peasants know that if they felt that their pride was hurt in having these things advertised, we have come to their desire and we are not advertising any more. The last time we advertised was really the last.

There are other aspects of the Bill which, perhaps, some people would not like. We have made arrangements that when we loan tenants money on their crops, we must know where they are selling those crops. That is one of the conditions as to the loans. We have found out that some tenants - and we lend some of them quite a large sum of money - have said that they were selling their canes to one factory, whereas they sent the canes to another factory and in somebody else's name. We do not want that to happen; we do not want to break the sweet relationship existing between the Bank and the farmers so that those who would do the extraordinary thing must be kept in line, so that this sweet relationship between the Bank and the farmers will not be broken. This Bill has gone so far away from the old Act that I feel that the farmers will be glad to say that at long last this Bill is here.

Mr. Speaker, looking through the Bill, you will see that there is a Clause which allows landowners a certain amount of money to repay their loans or mortgages or to clear their properties. Heretofore, when a person had no land and he wanted to get a loan from the Bank, he would have to have at least 60% of the value paid up. That provision has been re-

moved and today we have changed it to the other way around. We say that if you have 40% paid up we will lend you the other 60%. I think that that will be a great help to people. If you own a piece of land and the fair market value was \$800 and you had 40% of that money paid up, whereas we would lend you 40% before, today we are saying that if you have 40% of that money paid up we will lend you the balance of 60%. It is not as heretofore where we would lend you 40%. We have made all of these changes because we want to see agriculture adequately established and developed to the point where nobody should have any unused land. Some people cannot cultivate their land due to the lack of finance and it is good for the Government to be mindful of the farmers and to lend them money for the purpose of cultivating their land, buying their stock and erecting out-offices so that the peasants will have no need to say: "I would like to do this" or "I would have had better crops if it had not been for the inability to obtain a loan."

I can well remember speaking from time to time with some of the Co-operative Officers who come to this island and who have pointed out that the co-operative movement in Barbados cannot go very far inasmuch as the work which the co-operative movement should be doing among the people, the Barbados Government is doing in providing some of the services. We feel that this is a service which should be extended and the co-operative movement as such should take hold of the fact that this Government is willing to vote money each year in the Estimates so as to make sure that whatever the programmes of people in this movement are, so long as these people are organised and their books are audited, so long as they are doing things in a businesslike manner, then the Government will come to their rescue and help them with what they might need.

1.45 p.m.

On the other hand, I should also warn those planters who believe that they can go and borrow money and neglect the land that they would not find a friend in this Act, because this Act gives the Manager of the Bank along with my Ministry fairly wide powers. Whenever you are doing a good service you have always got to look for loopholes, and we have taken care as much as is humanly possible to see that too many loopholes are not remaining in this Bill.

Now, Sir, there are several new items in this Bill which anyone will see, and I hope that hon. members have taken time out to read it. Now, Sir, I will read from paragraph 19 just to give the House an idea as to what loans can be obtained for. Clause 19 says that loans may be made under the provisions of this Part of this Act to owners and, where applicable, to tenants for all or any of the following purposes -

(a) for carrying on the cultivation of holdings in this island, including the cultivation of grasslands;

(b) to enable the owner of a holding in this Island to pay the balance of any money owing in respect of the purchase of such holding so however that the amount of any such loan does not exceed sixty per centum of the fair market value of the holding at the time the loan is obtained;

(c) for the irrigation of the holdings;

(d) for the purchase of livestock;

(e) for the housing of livestock;

(f) for acquiring a good or marketable title to a holding; and

(g) for such other purposes as the Board may consider reasonable and necessary for increasing the productivity of holdings.

Further on in the Bill, Sir, you will see that there are certain stipulated times that these loans are given for. I should add here and now that quite recently this Government has seen fit to institute what is known as a peasant ploughing system, and although we did not have this new Bill yet, we made arrangements with the Bank to give loans to farmers to pay for their ploughing, and in that respect it

is not to be repaid from the next year's crop; we extended the period to three years for the repayment of such loans, and we give seven years to repay loans to people who buy cattle.

As I said, this has gone very wide and far away from the old Bill in order to make it very comprehensive and to make its usefulness felt in the agricultural community. The Co-operative Societies can also borrow money from the Bank for the purpose of the purchase and distribution of artificial fertilisers; for the purchase of motor and other mechanical equipment for agricultural purposes; for the purchase of tractors, ploughs and other mechanical equipment for cultivation; for the erection or improvement of farm buildings other than dwelling houses; and for the purchase of irrigation equipment.

All these things have to do with agriculture, Sir, and as one would see from two years such as last year and this present year, if we are to maintain our economy in agriculture, we must look to irrigation, because one can look around and see what our crops can be in the absence of rain. The only thing we know apart from the rainfall to grow plants is irrigation. In other words, what does not come down we must bring up. At this time, Sir, the Water Board, the Irrigation Board and the Waterworks are all discussing ways and means of doing better irrigation work for farmers in Barbados.

Now, Sir, some time ago we made provision for an Inspector of Wells, but that is not an end in itself. Personally I am against giving too many people the trouble of attending to their fan-mills and what not. I speak my own conviction now as a farmer. I know the trouble one gets when he has to maintain a fan-mill. More often than not he knows nothing about it and when something goes wrong he calls in somebody, and any man who has to go down in a well wants big money. Sometimes it is only to tighten up a nut or something like that, but because he has to go down there, he says it is dangerous work; so these things become very expensive if a man has to maintain his mill.

Speaking on my own now, I feel that when the water situation becomes better, as we can see it will become better in a short while, the people who are in charge of bringing up water to the surface should deal with that aspect of it and not allow people to dig wells all over the place when in truth and in fact after a certain period they just deteriorate and leave the poor man in debt. If water was supplied and meters given out, as well as a cheaper rate charged for the water, people would use less water because they would have to pay a small charge for it and it would be used with care and economy. I think the people who are in the water business, that is the Waterworks, have the technical know-how and they are the ones who are in charge of the water; they know where the water is.

1.55 p.m.

I have had the misfortune to see that a poor farmer wanted to do something about irrigation and he went and sank a well to 190 feet to find that he only got a drop of water, while not far from him others got water from wells which were only sunk a few feet. Say what you like, we will always have years of drought just as we have years of plenty; and when the years of drought come, a farmer like any human being would still have to maintain himself and family and he can only do that when he grows his crops and markets them; but if there is no favourable weather for him to grow his crops there would be no money coming in. Sir, in some stores when business is not quite good, there are some kind employers who say that they will still keep the staff because when things brighten up again that staff will be still with them. However, what I am saying is that most farmers are unable and almost incapable of maintaining these irrigating units, therefore, I am not in favour of their sinking more wells and coming for more money by way of a loan to erect fan-mills. I think that the time has come when Government will have to see to it that water is made available to the farmers and I think that they will take greater care of it when it is metered to them. It would be better for them to irrigate that way because in the case of a hurricane, they will not have to be afraid of their mills

toppling over. If you had proper watering facilities other than that provided by a fanmill, I am sure that a lot of people who have now gone out of the business would still be in it.

Sir, we are glad to encourage small farmers. This Government is willing to come to their assistance and, in fact, we are working on other schemes now in order to help them. We do want to make sure that this Bill covers the entire lot of cane farmers.

I will pass on from irrigation to other parts of this Bill. I think I should say here now that when the Peasants' Loan Bank Act is repealed and is supplanted by this one, all the commitments which were under the old Act will be taken over by this new Bill.

SUSPENSION OF SITTING

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

On resumption:

Hon. M. E. COX: Mr. Speaker, I draw to your attention that there is no quorum and I ask that the Bell be rung.

The Bell was rung and a quorum was obtained.

QUESTION TIME NEW SCHOOL BUILDINGS

Mr. SPEAKER: This is Question Time. The first is Question No. 24 asked by the hon. senior member for St. Lucy.

Mr. TUDOR: To enquire of the Hon. Minister of Education:

"Will the Minister state what new school buildings are to be constructed this year as distinct from completion of projects started last year?"

"2. Will he further state where these new schools will be, as well as their nature and capacity."

Hon. L. St. A. THORNE: Mr. Speaker, I think I have to acquaint this House that these questions were tabled during the last financial year and we have now ventured on a new financial year and programme.

In this — meaning, the last — financial year the programme of new school buildings has included extensions to St. Michael's Girls' School, Hothersal Junior, St. Matthias Girls', St. Catherine's Mixed, Black Bess Mixed, Turner's Hall Junior and Speightstown Boys'.

The extensions at St. Michael's Girls' will provide Science Laboratories, Domestic Science rooms, an Arts Room, a Library and additional classrooms whereby the school will eventually house 600 secondary pupils. The extensions at the primary schools listed above will provide accommodation for 720 pupils.

Mr. TUDOR: Can the Minister say whether the Department has it in mind or whether it has been drawn to his attention the serious state of disrepair at the St. Swithun Junior School and whether in this financial year it is proposed to carry out extensive repairs or to re-site that School?
2.35 p.m.

Hon. L. St. A. THORNE: Mr. Speaker, I have no recollection of that school being listed. I am sorry that I have not got the list of priorities here; I am not sure about that.

Mr. TUDOR: In view of the fact that the Minister is not quite sure at the moment of what the position is, will he undertake to discover what it is and let the House know subsequently?

Hon. L. St. A. THORNE: I will do that.

POLITICAL BROADCASTS BY OPPOSITION PARTIES ON REDIFFUSION

Mr. SPEAKER: The next Question stands in the name of the same hon. member.

Mr. TUDOR: Mr. Speaker, To enquire of the Honourable Premier:-

1. Would the Government be prepared either
 - (a) to surrender a portion of its Broadcasting time on Rediffusion to the Opposition Parties for the purpose of Political Broadcasts? or
 - (b) to request more Broadcasting time and surrender that additional time to the Opposition Parties? or
 - (c) permit Barbados Rediffusion Limited to sell Radio Time for Broadcasts by the Opposition Parties?

Hon. Dr. H. G. H. CUMMINS: The answer is as follows:-

- (a) No Sir, Government time on Rediffusion has never been used for making political broadcasts. It has been used to present information in an attractive way and to provide a measure of adult education. Information is given about such things as the working of Government Departments and Government projects, and the programmes are intended to expand the horizons of listeners in the fields of music, drama, education, literature and ethics.
- (b) and (c) do not arise in view of the answer to (a).

Mr. TUDOR: In view of what the Premier has just said, could he explain to this House under what category came the re-broadcast of a speech made by the Federal Prime Minister at a recent Conference of the Government Party? Was it for the purpose of presenting Government activities in an attractive way or was it for the purpose of adult education?

Hon. Dr. H. G. H. CUMMINS: Obviously, it was information and education.

Mr. TUDOR: That is a matter of opinion. Would the hon. member, in view of what he has said, care to explore the possibility of adopting the practice which the British Broadcasting Company follows in England at the present time, that is, allowing political parties — as parties — to make independent summaries of the week's proceedings in Parliament?

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, is that a proper supplementary question?

Mr. SPEAKER: I regard it as a supplementary question.

Hon. Dr. H. G. H. CUMMINS: All right, Sir. I cannot answer that question now; I will have to give it some consideration.

CONTRACT FOR PRINTING THE LAWS OF BARBADOS

Mr. SPEAKER: The next question stands in the name of the hon. senior member for St. Peter.

Mr. WALCOTT: Mr. Speaker, To enquire of the appropriate Minister:

Can the Minister state if the Government has awarded the contract for the printing of the Laws of Barbados?

If the answer is 'yes', can the Minister state if the contract is awarded to a printer in Barbados.

Hon. R. G. MAPP: Mr. Speaker, the Reply to the hon. member's question is as follows:

- (1) Yes, Sir.

(2) No, Sir. The award of the contract was influenced by considerations not only of cost but of early delivery time. The difference in delivery time between the local tender and the tender which was accepted was one of nearly two and a half years.

Mr. WALCOTT: Mr. Speaker, I would like to ask the Minister if he is satisfied that that award is in the best interest of the unemployment situation in Barbados.

Hon. R. G. MAPP: That is a different question; it certainly does not arise out of this question.

Mr. WALCOTT: Apropos to this question where the Minister is asked if he can state if the contract is awarded to a printer in Barbados, I think one would have to admit that you are talking about the award of the contract for printing. If you are talking about that, then it must involve the employment of Barbadians. I am asking if the hon. member considers that, on this question of the award of the this contract, the reasons he has given are in the best interest of the unemployment situation in Barbados. I think that the hon. member would have to admit that this is a relevant question.

Mr. SPEAKER: It is relevant.

Hon. R. G. MAPP: The effect of unemployment did not figure in the hon. member's question. He asked a question and I gave an answer of fact. If he is going on to something else now, we will have to enquire about that. I would not know to what extent this matter affects unemployment. That did not arise out of the hon. member's question.

Mr. SPEAKER: This question seeks to get at what is the fact or what are the facts and the facts are not here. I think it is a relevant question.

Mr. WALCOTT: Can the Minister state the cost of the printing of these laws outside of Barbados and the cost of printing them in Barbados? Can he state what is the time factor between printing the laws outside of Barbados and printing them here?

Hon. R. G. MAPP: I am afraid that I do not have the figures here; I can get them for the hon. member.

RELIEF TEACHERS

Mr. SPEAKER: The next question stands in the name of the hon. senior member for St. Lucy.

Mr. TUDOR: To enquire of the Hon. Minister of Education:-

1. Is it true that some Relief Teachers did not receive their salaries until the second week in January?

2. If true, has the Minister discovered the reason for this unfortunate delay and censured those responsible?

Hon. L. St. A. THORNE: Mr. Speaker, the answer to the hon. member's question is as follows:-

1. The records of payment show no such cases.

2. Does not arise.

Mr. TUDOR: Will the Minister be prepared to state that no complaints whatever have come into the Department of Education about the non-payment of salaries to some Relief Teachers?

Hon. L. St. A. THORNE: I have said that the records of payment show no such cases. I have made investigations and those are the replies which I have got from the Department of Education.

Mr. SPEAKER: In other words, the complaints may be unfounded.

ALLEGED BREACHES OF THE PEACE ON THE WHARF

Mr. SPEAKER: The next Question stands in the name of the hon. senior member for St. Lucy.

Mr. BRANCKER: To enquire of the Honourable Premier:-

Whether he is aware that, on 9th day of instant month, there occurred alleged breaches of the Peace on the Wharf, Bridgetown, when (a) one Tommy Steele is alleged to have violated *inter alia* Sections 35 and/or 39 of the Offences Against the Person Act, 1868 (1868-5), and Section 55 of the Highways Act, 1900 (1900-5), by inflicting a battery upon one Thomas Belle, a Second Officer of Steamship "Mauretania", and causing a disturbance; (b) the said Thomas Belle likewise committed an alleged battery on the said Tommy Steele?

2. If the answer to either of above queries is "yes", will the Premier state if it is a fact that no steps were taken, or contemplated, by the Police to place the alleged offenders before Her Majesty's Courts of this Island?

3. Is the Premier aware that grave disquiet and concern exist amongst the people of this Island concerning Police failure to follow the normal procedure *a propos* of aforementioned incidents, irrespective of whether parties involved were residents or non-residents of this Island, and regardless of class, colour or creed?

4. If it is a fact that Police have deliberately refrained from taking steps *re* the above matter, will the Premier cause an enquiry to be made to ascertain why?

2.45 p.m.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, the Replies are as follows:-

"1. The Premier is aware that on the 10th January a breach of the peace occurred on the wharf in Bridgetown involving Thomas Hicks, alias Tommy Steele and Second Officer Thomas Belle of the S.S. "Mauretania".

2. At the request of the Police the two parties involved went to the Bridge Police Station, where Hicks and Belle were informed that they could charge each other for assault under Section 35 of the Offences Against the Persons Act, 1868-5. However, both Hicks and Belle informed the Police that the matter had been amicably settled and they wished no further Police action to be taken. A common assault is one in which no wound or serious injury is inflicted. It is an offence against the Offences Against the Person Act, 1868, section 35, and except under rare and aggravating circumstances is only dealt with by a Court of Summary Jurisdiction on the complaint of the person assaulted. In practice the Police do not take action under section 35 except in very exceptional cases, but advise the parties to take their own action.

3. The Premier is not aware that grave disquiet and concern exist amongst the people of this Island, nor have the Police failed to follow the normal procedure *a propos* of the incidents.

4. As the Police have not deliberately refrained from taking steps in this matter this question does not arise.

Mr. BRANCKER: Mr. Speaker, further and supplementarily, is the Hon. Premier aware that it is the custom of long standing by the Police of this country that whether or not persons involved in a fracas decide to call it quits and settle the matter amicably among themselves, for the alleged disturbance of the peace it has been and still is the practice, with this one exception, of the Police Force in this island, to institute proceedings for making or causing to be made a disturbance contrary to section 55 of the Highways Act, 1900 (1900-5) of this island?

Secondly, Mr. Speaker, in respect of the alleged battery referred to in the first Question, is the Premier aware that

if the assaulted Thomas Belle had not been a capable swimmer, the battery inflicted on him might well have been resulted in his death, he having been pushed into the sea in which he was beyond his depth and the result would have been a case of murder consequent on this initial battery? In view of that fact, does the Hon. Premier regard this assault and battery as being inconsequential as it might well have caused the death of the person on whom the battery had been inflicted had he not been a capable swimmer?

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, both of those subsidiary questions begun by asking whether the Premier is aware. The Premier begs to say that he is not aware of either case.

Mr. SPEAKER: I think the hon. member's questions involve some knowledge of Law; I think they have that particular bias.

Mr. BRANCKER: Mr. Speaker, did the Hon. Premier satisfy himself that there was no departure from normal Police procedure in this particular case in respect of the failure of the Police to cause either of these two parties to be charged for making a disturbance contrary to Section 55 of the Highways Act, so that in future in similar cases occurring between residents of this island irrespective of who they are or what they look like, the procedure followed by the Police in this case in not instituting proceedings will likewise be followed and this case will be accepted as a precedent?

Hon. Dr. H. G. H. CUMMINS: Sir, the hon. member began by asking if I satisfied myself. Yes, Sir, I satisfied myself on the information and the advice given to me by the Crown Law Officers.

Mr. BRANCKER: Mr. Speaker, will the Hon. Premier state whether he is at present advised that the Police will not in future take any steps in respect of any alleged disturbance under circumstances similar to what is enumerated in these questions in case of Barbadians and non-Europeans - or I should say non-Nordic or non-Aryan. 2.55 p.m.

Hon. Dr. H. G. H. CUMMINS: I certainly do not consider that to be a supplementary because the question of non-Nordics does not enter the question.

Mr. BRANCKER: Does the Hon. Premier not know that Question 3 stated that grave disquiet and concern existed amongst the people of this Island concerning Police failure to follow the normal procedure *a propos* of aforementioned incidents, irrespective of whether parties involved were residents or non-residents of this Island, and regardless of class, colour or creed? Did not the Hon. Premier observe that that was the vital Clause in the question when he made his reply?

Hon. Dr. H. G. H. CUMMINS: Since the hon. member has read the Question afresh, I think I am correct in saying that the question of Nordics and non-Nordics does not arise. I thought it was about residents and in respect of class, colour or creed.

RESIGNATION OF PRINCIPAL OF TECHNICAL INSTITUTE

Mr. SPEAKER: Question No. 41.

Mr. TUDOR: To enquire of the Hon. Minister of Education:-

"Is it true that the Principal of the Technical Institute has resigned?"

"2. If true, why has he?"

"3. What is the Hon. Minister going to do about it?"

Hon. L. St. A. THORNE: Mr. Speaker, this is the reply to Question 41, asked by the hon. senior member for St. Lucy.

"1. Yes, Sir."

"2. He has accepted another appointment in Jamaica."

"3. I am sure that the Public Service Commission, the body responsible for filling vacancies in the Service, will try to find a suitable successor."

Mr. TUDOR: Arising out of what the Hon. Minister says, would he say who has been acting in the place of the Principal and what is the staff situation at the Institute proper?

Hon. L. St. A. THORNE: One of the members of the Technical Institute has been appointed to act as Principal for the remainder of the term and we hope that by the time we resume work that some appointment would be made to the post.

As far as the state of affairs in connection with the staffing, I am pleased to say that it has improved considerably. We have just been able to get two or three permanent persons on the staff; one for engineering, another for plumbing and the third for something else, but I may say that the situation as far as staffing is concerned has considerably improved. It is not that anxiety which it was a few months ago.

Mr. TUDOR: Is there at the moment any proposal to train people for eventual positions on the staff?

Hon. L. St. A. THORNE: Yes. For the present financial year, provision is being made for training instructors for the Technical Institute as well as for the Grammar and Secondary Modern Schools. The hon. member will recall a statement which was made in His Excellency's Speech to the effect that it was Government's policy to establish workshops in various centres: so we are sending a batch of between fourteen and fifteen trainees out shortly.

Mr. TUDOR: Just one more supplementary in respect to the reply the Minister has given. Is the Minister in a position to state whether notices have already been published to invite applications for the post of Principal?

Hon. L. St. A. THORNE: I am not sure of that. We have been discussing the matter and I have not checked to see whether the notice has been published.

Mr. TUDOR: In view of what the Minister has just said, would it then be contrary to the Government's policy to have these notices published both inside and outside of the Island such as in Canada and elsewhere?

Hon. L. St. A. THORNE: It is Government's policy to advertise for a post like this inside and outside of the island; therefore, there would be no departure from this practice in this case.

INSPECTION OF VESSELS

Mr. SPEAKER: Question No. 36.

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

Whether all vessels plying by sea between Territories of the Caribbean are thoroughly inspected before departure from this Island in respect of seaworthiness and adequacy of their lifesaving equipment according to recognised British Standards?

2. In respect of such equipment, will Government see to it that no such vessels leave here on "Excursions" or otherwise - without adequate lifesaving equipment, especially having regard to the number of persons being carried on such voyage??

Hon. R. G. MAPP: All vessels plying by sea between Territories of the Caribbean are not thoroughly inspected before departure from this island in respect of seaworthiness since this will entail their being placed on dry dock. However, the Port Department and Immigration Department inspect the Certificate of seaworthiness issued annually to all vessels which is in accordance with the Merchant Ship-

ping Act, 1898. Such inspection is carried out prior to the departure of the vessel on each voyage. The life equipment on all vessels plying between territories of the Caribbean is inspected before each departure. Life-saving equipment in the Caribbean is not required to be up to British standards, but the Federal Government has under consideration legislation which will stipulate standards for ships plying within the Federation. The Government of Barbados has already considered this legislation and is satisfied that when enacted it will meet local needs.

Since the coming into operation of the new Harbours Legislation and the establishment of the Port Department no vessel has been allowed to leave Barbados on any excursion without special attention being paid to its life-saving equipment and without the Harbour Master being satisfied that the vessel and its equipment are in good condition. This practice will be continued."

Mr. BRANCKER: Irrespective of the good condition of the life-saving equipment - which is most important - will the Minister give this House the assurance that this good equipment is not merely good but is sufficient and adequate as the question proposes. Question 2 is to the effect that in respect of such equipment, if the Government will see to it that no such vessels leave here on "Excursions" or otherwise - without adequate lifesaving equipment, especially having regard to the number of persons being carried on such voyage.

3.05 p.m.

Secondly, in respect of and supplementary to question 1, does the Minister agree that no standard below the recognized British standards of sea-worthiness should or will be accepted by the Government of this particular unit territory in respect of vessels plying by sea between the territories of the Caribbean?

Hon. R. G. MAPP: I would be glad if the hon. member would make his question more distinct and a little clearer because it has been very difficult for me to follow it. I would also be glad if he would separate Question 1 from Question 2 because the Questions are rather long.

Mr. SPEAKER: The first part of the Question was in respect of adequacy. Is that right?

Mr. BRANCKER: Adequacy of the good life-saving equipment.

Hon. R. G. MAPP: If the hon. member would recall, he would see in the Reply to Question 2 that special attention will be paid to the life-saving equipment - which means that all aspects of the equipment will be looked into both as regards its condition as well as its adequacy in order to cope with the number of people on Board.

Mr. BRANCKER: Does the Minister receive information as to the number of persons who are leaving this island on any particular boat on an excursion or otherwise and satisfy himself that there is life-saving equipment not only good, but adequate, in order to cope with the number of persons who are actually leaving this island on the particular boat?

Hon. R. G. MAPP: In answer to the hon. member, I would say that the Minister does not receive such information, but I presume that the Harbour Master does. That is expressing that since legislation has been in vogue, we have been rigid in carrying out such inspection.

Mr. TUDOR: The Minister has said that special attention will be paid to the life-saving equipment. Does he accept the inference that the word "will" means that that attention is not now being paid?

Hon. R. G. MAPP: I will read my answer for the benefit of the hon. member who has just spoken. This is what I said:

"Since the coming into operation of the new Harbours Legislation and the establishment of the Port Department no vessel has been allowed to leave Barbados on any excursion without special attention being paid to its life-saving

equipment and without the Harbour Master being satisfied that the vessel and its equipment are in good condition. This practice will be continued."

Mr. BRANCKER: Does the Minister agree that it is not merely a matter of an official known as the Harbour Master being satisfied, but that that satisfaction is shared by the Minister himself in view of the fact that the responsibility is ultimately his? If there is any reason for the hon. member to feel that this inspection which should be carried out is not being adequately carried out, and that vessels are leaving here without being properly examined, he will have to have an enquiry into the matter.

Mr. STRAUGHN: Mr. Speaker, will the Minister tell us whether it is likely that the proposed Federal legislation will come up to the recognized British standards which he has mentioned before?

Hon. R. G. MAPP: We are satisfied that it will measure up to the British standards.

Mr. STRAUGHN: What is the ratio of life-saving equipment to the number of passengers which you have, on British standards?

Hon. R. G. MAPP: If the hon. member will table his question, I will get that information for him in due course.

Mr. SPEAKER: The next question stands in the name of the hon. junior member for St. John. I observe that the hon. member is not in his place.

Mr. TUDOR: Mr. Speaker, in view of the fact that the hon. member is not now in his place I am asking that the answer be held over until the next meeting of the House or until whenever the hon. member can attend.

Mr. CORBIN: Mr. Speaker, I would like to enquire why the answer to question No. 26 standing in my name is not yet available? That question was asked since the 10th January. I think that there are questions which have been asked on the 7th February and those questions have been answered. I would like to know the reason for that.

Hon. R. G. MAPP: Mr. Speaker, the replies to that question are not yet ready. I may say that the hon. member will not be long delayed in his anxiety because of the answer.

Mr. SPEAKER: It is now time for the consideration of Private Members' Business.

PRIVATE MEMBERS' BUSINESS RESOLUTION re ENQUIRY INTO THE SUGAR INDUSTRY

Mr. SPEAKER: The first Order of the Day under Private Members' Business is to resume debate on the following Resolution:-

Resolution relative to an inexhaustive investigation into all phases of the Sugar Industry in Barbados by the Sugar Enquiry Commission under the Chairmanship of Mr. Carl Goldenberg.

On the last occasion the Hon. Leader of the House was addressing the Chair.

Hon. M. E. COX: Mr. Speaker, on the last occasion when this matter was under discussion, I was at the point where I was attempting to demonstrate to the House that the recommendations of Mr. McKenzie, who has gone into the economics of the sugar industry very thoroughly, were accepted by the Workers' Organisation.

Mr. WALCOTT: On a point of order. The hon. member cannot say that the recommendations in the McKenzie Report were accepted by the Union. I think the hon. member has on his record that the Union did not take part in the McKenzie Report but rejected it. The hon. member knows that. The recommendations were not accepted by the Union.

Hon. M. E. COX: I do not know why the hon. member says that the Union did not take part in the Report. The Union submitted a memorandum.

Mr. WALCOTT: On a point of order. If the hon. member is a Minister, he must get his facts. Submitting a Memorandum does not mean that you took part in the Report. You submit a Memorandum; but when the Commission came here and started to work they wanted the meetings to be held in private. The Minister of Agriculture agreed with Mr. McKenzie that the enquiry should be held in private and we said that we were not participating in any Commission of Enquiry into the sugar industry which would hold its meetings in private.

3.15 p.m.

We did not take part; we rejected the Report.

Hon. M. E. COX: It is correct to say that the Union did not appear in person before Mr. McKenzie, but again I repeat that the Union submitted a memorandum to Mr. McKenzie, and when Mr. McKenzie asked the Union to come and discuss the matter, the Union refused. He is right in saying that the Union refused, and the Union refused on the grounds that it wanted to have this inquiry carried out in public rather than *in camera*; but that does not deny the fact that the Union had submitted its proposals to Mr. McKenzie. Now I am saying, Sir, that on the performance of the Union..

Mr. WALCOTT: On a point of order, I hope the hon. member will continue his speech in a logical sequence. I rise on a point of order because the hon. member said that the Union agreed with the recommendations of the McKenzie Report. The Union never agreed with the McKenzie Report because it rejected the Report. I think the hon. member must be prepared to make a distinction between the memorandum submitted and the Report of Mr. McKenzie, because he knows that we never agreed with the Report and we stated that.

Hon. M. E. COX: Mr. Speaker, I said last week and repeated in my opening remarks today that the Union had accepted with modification the McKenzie Report, and I am going to proceed.....

Mr. WALCOTT: On a point of order, I should like the hon. member to understand that he cannot get up and say that you, Mr. Speaker, agreed to something, and, when you say that you did not agree, that he should still say that you agreed to it. I can put the hon. member right if he wants to be put right. What he must understand is that a Report is a document in which everything is set out. What the hon. member should say is that the part of the Report on which the Government approached the Union was that concerning the Provident Fund. That is all on which the Government consulted the Union, but the Union never accepted the McKenzie Report which was a document laid on the Table of this House.

Hon. M. E. COX: Mr. Speaker, I must say quite frankly that the hon. member is not rising on a point of order; he is just interrupting me. I am prepared, however, to say whatever I am going to say this afternoon, and if I do not get an opportunity to say what I want to say now, I will say it on a subsequent occasion. I do not want the hon. member to tell me how to conduct my business in the House of Assembly; I know what to say and what not to say. I am going to proceed to prove that in principle, as I said two weeks ago, the Union accepted the recommendations with modification.

Let us get back to the Lewis Report. As I mentioned last week, I had some extracts from the Lewis Report which I am afraid I did not, in my anxious moments of putting the case, find in my file. The Lewis Report recommended in 1958 after we had.....

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

Mr. Deputy Speaker, I was saying that the Lewis Report in 1958, after we had the strike and so on, recommended that an *ad hoc* bonus of 7% be paid to all workers in the sugar industry, and that for the future all organisations should get together so as to be able to reap their crop

as smoothly as possible. May I repeat the McKenzie recommendations before going further so that you will be able to follow the sequence of the argument? Mr. McKenzie recommended that in future - that is, after 1958, because he investigated this matter in October, 1958 - whenever there is an agreement as to an increase in wages that the percentage..... Let me put it this way: Mr. McKenzie said that the differential between the workers in the sugar factory and the cane cutters and loaders was too great and that an attempt should be made to narrow that differential when increases are agreed on in the future. He said that the differential between wages of field and factory workers in this industry is not justified. In any future change in basic wages, the ratio of benefits should be 75:25 in favour of field workers. In other words, the 100% should be divided as field workers 75% and factory workers 25%.

Now, Sir, this is what happened in 1957. In 1957 there was an increase on the basic wages of 17.5% on the 1954 wage agreement, and that resulted in \$1.10 per ton for cutting canes. In 1958 an increase was given by the Sugar Producers' Association of 6% on the basic wage. As soon as Mr. Lewis after the strike recommended 7%, it meant that all workers in the sugar industry got 6% basic and 7% *ad hoc* wage. That brought cane cutters and people like those to \$1.17 per ton. In 1959 there was no basic increase, but the 6% which was given in 1958 along with the 7% *ad hoc* were consolidated in so far as the cane cutters, loaders and people like those were concerned. In 1960, Mr. Deputy Speaker, there was no increase, but there was a consolidation of the 1959 rates for cane cutters which brought it to \$1.25 per ton. In 1961, which is this year, an agreement of a 9% increase to basic wage brought the cane cutters to \$1.36 per ton.

Let us examine what took place with the workers in the factory. In 1957 as I mentioned earlier, all sugar workers got this 17.5% on the 1954 basic wages. In 1958 they got the same 6% increase and also the *ad hoc* 7%; but in 1959 the year after Mr. McKenzie made his recommendation, this is where I am emphasising and categorically stating that although it may be said that the McKenzie Report was not accepted and was repudiated, this is what happened.

3.25 p.m.

One when reading between the lines can decide who is right and who is wrong. In 1959, there was no increase, but the workers in the sugar industry got a 4% bonus on the aggregate wages of \$600. In other words, the worker who had worked for up to \$600 got 4% as against the 7% *ad hoc* bonus which he got the year in front; therefore, he only got 4%. The other fellow worker who worked for over \$600 and who had got the same 7% the year before only got 2% bonus. Therefore, neither reached the *ad hoc* bonus, whereas all the cane cutters and such people got their consolidated 7% as basic wage for that year.

Let us go a little further. In 1960 nobody got an increase. In 1961, the same factory workers who got the 7% *ad hoc* bonus.....

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. I did not want to cross the hon. member and I gave him time to make the mistake. He said that nobody got an increase in 1960. Let him go and get his facts right. It is true that his Ministry does not negotiate therefore, the people under him cannot give him the facts. In 1960, there was an increase in the wages paid to factory workers. There are separate negotiations for in-crop and out-of-crop wages.

Mr. DEPUTY SPEAKER: I cannot now call that a point of order.

Mr. WALCOTT: Well, Sir, I am on a point of explanation. Do you mean that if the hon. member says something which I know is wrong that I do not have the right to correct it?

Mr. DEPUTY SPEAKER: I did not say that you cannot do that, but you rose on a point of order.

Mr. WALCOTT: Then, if I rise on a point of explanation, I would be in order. The hon. member said that there

was no increase in 1960. What he is now talking about is in crop wages as against out of crop wages and the negotiations on this basis are conducted on a completely different basis from that in the past. You will find, if you look at the crop wages of 1960, that they are not on percentages but on a fixed amount. The percentage rise would be more than what the 7% *ad hoc* bonus was.

Hon. M. E. COX: Mr. Deputy Speaker, I am sure that the hon. member knows that I am dealing with in-crop wages.

Mr. WALCOTT: Mr. Deputy Speaker, I rise on a point of explanation. What I want to point out to the hon. member is that the basis for negotiations today is not on the basis of what Mr. McKenzie put forward because we negotiate today on a completely different basis.

Hon. M. E. COX: The following table shows the percentage increase of the wage rate paid for topping, cutting and cleaning canes.

Mr. WALCOTT: I rise on a point of explanation. Before Mr. McKenzie came, all these wage rates used to be negotiated for at one time - cleaning, topping, taking up trash and so on. Now, we negotiate on in crop and out of crop - two separate negotiations. Therefore, the hon. member cannot quote a year and say that there was no increase for workers in that year.

Hon. M. E. COX: Mr. Deputy Speaker, I wish the hon. member would keep quiet and let me put my case. If the hon. member thinks that I do not know, I wish to tell him that I know a great deal more than he thinks. That is why I can bring out my facts. We were dealing with cutting, loading and

Mr. WALCOTT: Mr. Deputy Speaker, I rise on a point of explanation. The hon. member said that the Barbados Workers' Union accepted the McKenzie Report with modifications and he went on to say that we so accepted the Report that something was less. I rose and said that his facts were wrong. Do not use this Assembly to talk of something when all you want to do is to decry the leadership of the Trade Union which is something which the hon. member is incapable of doing.

Hon. M. E. COX: I am not attempting to do any such thing. There is one thing which anybody can say about me and it is that I have helped in my early days to build the Trade Union up and I am still helping to assist in keeping it together. "Let him who thinks he stands take heed lest he falls." I would never turn one straw against the Union because I strongly believe in the Union. I think it is one of the main reasons of workers getting their rightful due. There is no question of my being opposed to the Union. The question of my being opposed to an individual may arise, but not my being opposed to the Union.

Now, Mr. Deputy Speaker, what I am emphasizing is this. I am not dealing with people out-of-crop, the people who dig cane holes and work by the day; I am discussing the question of cutting, topping and cleaning of canes and things like that and I am comparing the 1957, 1958, 1959 and 1961 crop years and I am drawing an analogy between the workers in factories, how they were treated in 1958 on account of the recommendations of Mr. Lewis as compared with what they are getting today.

Mr. WALCOTT: Sir, I rise on a point of explanation. What I want the hon. member to be clear on and to point out to him is that he will not find in his file the question of the rates of pay for factory workers within the same period. He would see in his file that the factory workers were increased by four cents an hour as distinct from the amount which they got for work in the crop. Therefore, when you take the percentage of the factory workers' rate, that is not a true basis because you do not see it here.
3.35 p.m.

Mr. CRAWFORD: Mr. Deputy Speaker, if I may, on a point of explanation, enter this issue, I would say this: I

take it that what the Minister is trying to do is this. He is saying that, because the rates after Mr. McKenzie were laid down on the basis fixed by Mr. McKenzie, the Union had accepted Mr. McKenzie's Report; but that does not make any sense to me at all. These basic rates would have been there whether they were laid down by Mr. Cuke, Mr. McKenzie, Mr. Disraeli or anybody else.

Hon. M. E. COX: I repeat that in 1958 the increase was 6% basic wage and 7% *ad hoc* bonus to all people who were working by way of cutting and loading canes and to factory workers. That is for the grinding period; that is nothing to do with the hard period.

Mr. WALCOTT: On a point of order. The hon. member is wrong; the 6% applied to everybody. After negotiations, it was agreed that there should be an increase of 6% on all rates whether out-of-crop or in-crop. After the breakdown came and there was the Lewis enquiry into the matter, the Lewis report made a recommendation of 7% *ad hoc* bonus to be paid in that year only on crop wages. The 6% increase was for all classes and the 7% was *ad hoc* bonus for the year 1958 only.

Hon. M. E. COX: That is what I am saying. The *ad hoc* bonus was paid to people who worked during the grinding season. I am pointing out that since the Report was made, that is what happened. The workers in the sugar factory who worked for wages up to \$600 a year got 4% *ad hoc* bonus which is a reduction of 3% on what they got before. Those who worked for over \$600 and who also got 7% only got 2% in 1959. That is what I quoted. I go further and say that as far as cane-cutters are concerned, that 7% *ad hoc* bonus was consolidated and formed a part of the basic salary. In other words, these workers got 7% plus 6% which is 13% as against other people who only got 6% as basic wage. When you arranged for wages in 1961, you gave a 9% increase to the people who cut, top and clean canes and 6 1/2% to those who work in the factory. The factory people never had the 7% consolidated in their wages.

Mr. WALCOTT: On a point of order.....

Hon. M. E. COX: Every time that I make a point the hon. member gets up to explain.

Mr. WALCOTT: After all, Mr. Deputy Speaker, this is how I live. The hon. member said that in 1960 there was no increase; the McKenzie report spoke about whenever there is an increase, not an increase in crop. The factory workers' wages were increased in 1960 which applied to 1961. What the hon. member is reading now is only part of the increase for 1960/61. They have already had an increase of wages which formed a part of our negotiations. I cannot negotiate on Mr. McKenzie's Report. What the hon. member does not understand is this; when we ask for a 9% increase on the crop wages to equate with 9% on plantation wages, for 1960/61 we already have an increase of more than 7% because the factory rates have gone up to 34 cents an hour and the increase is more than 10% in some cases. Those are the facts which I am giving the hon. member.

Hon. M. E. COX: One thing of which I can assure the hon. member is that I study these things so that when I get up to speak I can speak with authority. Let me say that this is a matter of what I intended to say all along. I do not want to waste the time of the House or to force the hon. member to waste the time of the House. What I want to say on this particular matter is that where the cane cutters and such workers are concerned, over the last three or four years their increase amounted to 7% and 9% which was a 16% increase in so far as the crop period is concerned as against the factory workers who only got 6 1/2%. Hitherto there was a blanketing thing for all workers.

Let us get back to the McKenzie Report. I have shown that the Barbados Workers' Union although not admitting that it was working on the lines laid down by Mr. McKenzie, has sought to narrow the differentiation between the cane cutters, loaders and people like that, and the factory workers by giving the cane cutters an increase of 7% and 9% which would make 16% since 1958 or 1959, and only giving the factory workers an increase of 6 1/2%.

Mr. WALCOTT: On a point of order, I do not think it is fair for the hon. member to say that, because if you read the McKenzie Report you will see that it refers to total wages. There is no point in saying that the Union has adopted Mr. McKenzie's report. I cannot tell the hon. member today what is the net percentage of the total wages which went to the factory workers because that is not negotiated on a percentage basis at all. The hon. member should bear in mind that the rates of pay for the factory worker are computed differently from the wages paid to the sugar workers. He has made the mistake of talking about a 9% increase to the cane cutters and an increase of 6 1/2% to the factory workers. Therefore, there is a difference in not taking into account out of crop wages.

3. 45 p.m.

As you know, Sir, the out of crop wages have been increased for both factory and field workers not on a percentage basis but on a fixed rate; and if the hon. member would take this as an example, all the rates in the factory have been increased for 1960-61, and in the field some of the day's work jobs have been increased, but rates applicable to certain jobs remain the same. It is an involved matter for a layman like the hon. member to fully appreciate, and he cannot be dogmatic about something, more so in terms of percentages, by coming and laying down that the percentage is this or that. It is not fair to the workers themselves and you only confuse people in the sugar industry, because after reading his speech he would not be able to explain what he meant by what he said, and it would only leave a lot of confusion for somebody else to go and clean up.

Hon. M. E. COX: Now, Sir, I shall pass on to the other aspect. Now on page 35, paragraph 82, this is what Mr. McKenzie had to say about the Provident Fund.

"The provision of a Provident Fund which gives comprehensive benefits is very costly, and requires a large administrative staff. This I am convinced is not feasible at the moment, as the industry has neither the financial ability nor the administrative staff to implement such a scheme; furthermore such a scheme should be a contributory scheme on similar lines to other well-established schemes elsewhere. Under the conditions in Barbados I would suggest that a comprehensive scheme of such a nature should not be left to the industry to implement, but in view of the Old Age Pensions Act and other possible changes in social security it should be the subject of serious consideration by Government.

Agreement has already been possible between those concerned to apply a cess of 40 cents per ton to sugar from the Price Stabilisation Fund for the purpose of financing a Provident scheme. These monies have already been earmarked since 1956, but such a cess will only provide an income of some \$68,000 per annum, which even on a very restricted basis of benefits is inadequate to meet the needs of such a Fund. It is clearly impossible to establish a fund so inadequately financed, on the basis of each person having amounts credited to his or her personal account. The amounts would be so small as to be somewhat farcical; and administrative costs would be prohibitive.

If a scheme is started on the basis of a pooled fund, from which benefits can be paid to persons in need, I would recommend that the Fund be restricted to -

- (i) Sickness benefits;
- (ii) Maternity benefits for women;
- (iii) Death gratuity to contribute towards burial expenses.

In view of the small income derived from the cess, I have examined the possibility of raising further funds which would not necessitate further levies on the industry or require any direct contribution from Labour.

I recommend that as large sums are held in reserve in Price Stabilisation Fund, these monies could be put to productive use to assist a Provident Fund. I recommend that two and a half million dollars of the reserve in the

Price Stabilisation Fund be invested in such securities that will yield at least four per cent per annum of interest. This earned interest should be paid annually into the Provident Fund for its use. This will give the Fund a further \$100,000 a year. This together with the 40 cents cess already agreed will provide a total annual revenue of something like \$168,000; a sum which should be sufficient to meet a limited Provident Fund on the lines proposed above.

Unfortunately there are little or no reliable statistics to guide anyone as to the level of benefits which will be required. I would suggest that a special committee be set up to consider the details. The Fund will have an annual income of \$168,000, it will also be able to draw on funds already reserved which should now total something in the region of \$190,000. This accumulated cess from previous years should be kept as a reserve fund from the very beginning, so that in the initial year or two, the operation of the fund will be covered by a reserve of approximately one year's revenue."

In dealing with that point, Mr. Deputy Speaker, the Union has since this Report represented to Government for the first time that a Fund such as the one herein stated should be provided.

Mr. WALCOTT: On a point of order, the hon. member knows that is not true, because before Mr. McKenzie came, representations were made to the Barbados Government that a levy should be made, and it was agreed that the 40 cents per ton which he spoke about should be levied for the purpose of a Provident Fund; so the hon. member should not say that for the first time representation was made. Again I say that the hon. member is saying purely for political purposes that the Union never made any representation for a Provident Fund until McKenzie said that there should be a Provident Fund.

Hon. M. E. COX: I did not say that at all. What I read must indicate that long before McKenzie came that levy was in existence for this purpose; so I hope the hon. member does not think he can get away with that. What I am trying to point out is that the Union had only suggested that there be a 40 cent per ton levy be put to a Fund, but what Mr. McKenzie has recommended is that in addition to that 40 cents we should use up \$2 1/2 million of the reserve Fund which is put to Price Stabilisation. I am trying to point out where McKenzie's recommendations have been accepted in principle, and it is only a question of time.

Mr. WALCOTT: The hon. member is talking about the Provident Fund, but he cannot read a Report as vast as the McKenzie Report and say that because the Union agrees with the establishment of a Provident Fund that they therefore agreed with the Report. We were never against a Provident Fund.

3.55 p.m.

Hon. M. E. COX: All I am saying is that since Mr. McKenzie has recommended that \$2 1/2 million of the Price Stabilization Fund be invested, the interest of which should be passed on to this Fund, the Union has put up that proposal.

Mr. WALCOTT: Mr. Deputy Speaker, you will forgive me if I read again what I read on the last occasion. I have a letter here of the 8th January, 1959 in reply to a letter from the Ministry of Trade, Industry and Labour. It reads as follows:-

"With reference to your letter, No. C 626/1, dated 15th November, 1958, concerning the Report by Mr. A. F. McKenzie on the Sugar Industry, and the request made by you to submit the comments of the Union on the recommendations contained in the Report regarding the Provident Fund and the payment of Severance Gratuity, I have been instructed by the Executive Council of the Union to submit the under-mentioned reply."

The Hon. Minister sent to the Union and asked for its comments on this specific part of the report because he knew we rejected Mr. McKenzie's Report. There was a specific request from the Minister to submit our views on

this question to him and we would be very discourteous, if he asked us for our comments, for us to write back and tell him that we do not agree with the McKenzie Report and, therefore, we have no comments to offer.

Hon. M. E. COX: Mr. Deputy Speaker, what it boils down to is that what Mr. McKenzie recommended is quite acceptable to the hon. member because Mr. McKenzie said \$2 1/2 million and the hon. member has agreed to that.

Mr. WALCOTT: Mr. Deputy Speaker, I rise on a point of order. Is the hon. member suggesting that because I agreed with that, I have agreed with Mr. McKenzie's Report? The Hon. Minister from his own Ministry wrote a letter to the Union asking for our comments; so hon. members will see that we did not agree with Mr. McKenzie's Report.

Hon. M. E. COX: Your report on this matter is exactly similar to what Mr. McKenzie recommended.

Mr. WALCOTT: Yes, on the Provident Fund.

Hon. M. E. COX: Sir, we will go a little further and deal with displaced workers, and severance pay. I am going to read what Mr. McKenzie recommended and I am going to prove in addition that so far as this aspect of the recommendations is concerned, the Union had also adopted Mr. McKenzie recommendations.

Mr. WALCOTT: I rise on a point of order. The Hon. Minister said that he was associated with the Union. Before Mr. McKenzie came here the Union had asked for severance pay and the Hon. Minister is aware of that. We had severance pay instituted in other industries, but the quest for it was going on with the Sugar Industry since 1954 and no agreement was reached on it.

Hon. M. E. COX: Sir, I can stand any interruptions. On page 38, paragraph 91, dealing with severance pay, this is what Mr. McKenzie said:-

"The occasion when a factory closes down raises many difficulties. The closure is usually due to economic factors, and the closing of a factory implies the abandonment of the capital investments. Factories which have been closed down were usually worn out and obsolete units, the saleable value of their assets was at the best only scrap value. If any assets were available they were probably required to discharge debts and other charges which may have been outstanding."

He goes on to say in paragraph 92:-

"Shortly, the closure of the factory means that the owners are unable to continue and have no funds from which any severance pay or such like scheme could be met. It would therefore be unrealistic and indeed impossible to expect a factory which has been closed down to accept the financial commitment of providing severance pay for the workers who are displaced."

And he says in paragraph 93:-

"The position is not so difficult when a factory displaces workers because of some "technological" change in the factory itself, as it is still a continuing entity and will, it is hoped, earn profits. It should therefore be possible for such a factory to capitalise the total cost of severance pay, and amortise this cost over a period of years. There are precedents for this elsewhere where conditions have been specially favourable to the implementation of such a scheme."

What does Mr. McKenzie state? He says that if a factory is closed down on economic grounds — not technological grounds — that it is unfair to expect the owners of that factory to pay severance pay. The hon. senior member for St. Peter knows as well as I do that recently we have been negotiating with a view to reaching agreement and coming to this House with legislation to provide for severance pay, provident fund, and so on.

Mr. WALCOTT: Mr. Deputy Speaker, I rise on a point of order. Now, the Union wrote a letter to the Ministry on

severance pay and the letter points out that if a factory lays off people through technological changes, severance pay should be provided by the employer for the workers. The Union rejects the recommendation on severance pay by Mr. McKenzie on the basis that it cannot be considered on the age of the workers. It is ludicrous to state that if a worker is under 32 years of age he is not entitled to severance pay. Mr. McKenzie recommended that people who are 32 years of age should not get severance pay. We rejected his idea. That is what I want the Hon. Minister to be quite clear in his mind about. We rejected the proposal that a man of 32 years should not be given severance pay.
4.05 p.m.

Hon. M. E. COX: Mr. Deputy Speaker, I did not deal with whether a man is thirty-two, forty or whatever he was. I was making the point that Mr. McKenzie recommended that if the factory is closed down on economic grounds. (Mr. WALCOTT: A man at thirty-two years should not be paid!) I am dealing with a fundamental principle and not with a detail. That is why I said that they have accepted the Report with modifications. I am right on that. I am saying that there is a recommendation where a factory is closed down on economic grounds. He says that it is unfair for the owner of the factory to accept liabilities for severance pay for all of these workers. Having laid that down, I am contending that the Union has accepted that in principle because the Union has agreed with us on their own proposal that if the factory is closed down on economic grounds the money to meet severance pay for the workers must come from this Fund and not from the employers. We had Sandy Lane as an example; that factory was not closed down on economic grounds so that the owners had to pay these people. The Union has proposed to us that those who are entitled to severance pay should be paid from the Provident Fund. That is what Mr. McKenzie has said, I repeat that as far as Mr. McKenzie's recommendations are concerned, those recommendations have been received and they form the basis for discussion and agreement in so far as this Fund is concerned.

There are some points which could be made but I do not want to tire this House with them. However, the points which I have made are the major ones which were brought out in the McKenzie Report. As I said in my earlier remarks, this question which has been raised was unnecessary and I will repeat again that this is only another political dodge or scheme which is thrown up from time to time, but more particularly when Elections are around the corner. Here you have the Union which claims to be representing all the workers in this industry (Mr. WALCOTT: Not 'claims', we will show.) Well, the hon. member does not agree with this Resolution because he does not claim, since he says that he will show, that they are the accredited representatives of the workers in this industry. They have all along, for all the years, been negotiating with the employers. The first Magna Carta of the sugar industry in Barbados was negotiated between the Government of Barbados and the Sugar Producers' Association; the hon. senior member for St. Peter and myself were members of the Government and we appended our signatures to the Document. That is for the benefit of the hon. member who used that aside; that was in 1951. Only a few weeks ago I was looking through some old papers and came across the document which was signed by us in 1951 and which was regarded as the Magna Carta for the sugar industry of Barbados. That is the Barbados Labour Party which is in existence up to today.

We are now told for the first time what a serious predicament we are in, and how precarious a condition and so on, the sugar industry is in. It is in such a doubtful position that it necessitates an hon. member who has no organisation, no Union, not even a Party, coming to this House and raising this issue. The virile and agile senior member for St. Peter, who is supposed to be representing his people, does not know that the sugar industry is in all of this perilous position. The hon. member is the Leader of a Trade Union and he has nothing to his credit apart from what he inserts in the newspapers whenever he likes. I repeat that, as the Minister of Agriculture has appealed to this House we should not make this industry a football (Mr. MOTTLEY: It has been made one for all the years.) I agree with you, but from that side.
4.15 p.m.

Years ago the hon. member used to get on the emigration horse. The emigration horse no doubt seems to have broken its foot and as a logical consequence has been shot and buried; therefore it is not possible now for him to get up here and tell us how many people should go to Brazil and maybe later on to Cuba. That horse having died... (Mr. MOTTLEY: Joe Stalin was the greatest thing in the world for you all!) The hon. member in an aside said that Joe Stalin was the greatest thing in the world for you all, meaning us...

Mr. DEPUTY SPEAKER: The hon. member must not take those asides seriously. Hon. members are breaking the Rules of the House by talking across the Table.

Hon. M. E. COX: I would like to say that had it not been for the strength, the cooperation and the effort of the Russian people, the British Empire would have gone. (Mr. WALCOTT: So would the Russian Empire.) The Russians are the people who stood up to the Germans and beat them. (Mr. WALCOTT: Alone?)

Mr. MOTTLEY: On a point of order, the hon. member is very good on his history.

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

Mr. MOTTLEY: On a point of order. I am only saying that the hon. member is very good on his history and famous political ideology. He is claiming that the English people who fought for a year by themselves...

Mr. DEPUTY SPEAKER: That is not before the House.

Mr. MOTTLEY: The hon. member said that had it not been for the Russians, the British Empire would have gone. I am among those people who say "Thank God there are other political ideologies beside democracy", and I have not been afraid to say that, I am not going to sit here and allow the hon. member to say that had it not been for the Russians, the British Empire would have gone. The British Empire fought by themselves, alone. If the hon. member is stupid enough to say that Joe Stalin was the greatest man then living in the world...

Mr. DEPUTY SPEAKER: I am speaking to the hon. senior member for the City.

Mr. MOTTLEY: I am only speaking on a point of order.

Mr. DEPUTY SPEAKER: I am not entertaining that as a point of order, and if you persist in doing it, I will rule you out of order.

Mr. MOTTLEY: How are you going to rule me out of order when I am speaking on a point of order? You did not rule him out of order, and when a member gets up and says something like that, we on this side of the House cannot let it go unchallenged. As a matter of fact, the hon. member could well have said that had it not been for the American people....

Mr. DEPUTY SPEAKER: The hon. member must take his seat.

Mr. MOTTLEY: I am sorry.

Mr. DEPUTY SPEAKER: If the hon. member persists in making those remarks, I will rule him out of order. Stalin, Russians or anybody else is not in the Resolution. I will not sit here and allow any member to do as he likes or thinks fit in a disorderly manner. I am not entertaining it.

Mr. MOTTLEY: You will agree, Mr. Deputy Speaker, that if a member makes a statement on the floor of this House which reflects on us, another hon. member has an equal right to get up and refute that statement. Having not stopped him, I am entitled to say.....

Mr. DEPUTY SPEAKER: You have said all that you had to say already.

Mr. MOTTLEY: How can you say that?

Mr. DEPUTY SPEAKER: I am not entertaining it. The Hon. Minister will continue to speak.

Mr. MOTTLEY: Mr. Deputy Speaker,.....

Mr. DEPUTY SPEAKER: The hon. member is out of order.

Mr. MOTTLEY: How am I out of order?

Mr. DEPUTY SPEAKER: You got up on a point of order on something that is not before the House.

Mr. MOTTLEY: You cannot say so. You said that I had said all I had to say. The Hon. Minister has given me an opportunity to reply to what he said.

Mr. DEPUTY SPEAKER: I am nothing to do with that.

Mr. MOTTLEY: Why?

Mr. DEPUTY SPEAKER: The hon. member cannot give you an opportunity to speak in here or say anything; he could be a Minister, a priest or anybody.

Mr. MOTTLEY: The Minister and the priest have spoken and now the layman will speak. The last thing I want to do, Mr. Deputy Speaker, is to get hot. Everybody knows that I can get hot and hold my own. I do not want to be rude to Your Honour; as a matter of fact, I do not think that the microphone should be before your face, because I would like to see it when I am speaking to you. When Your Honour says that I have already said all I had to say, that is really assuming too much and it is very unkind to me. You cannot assume that I have said all I have to say on the matter. You will agree with me that what the hon. member has said will go into Hansard and at least I am not ashamed to say that I am a Conservative, and those of us on this side of the Table with a different political ideology will disagree with the hon. member. I am not only pointing out that he could very well have said that if it were not for America and if Hitler did not make the mistake of turning back to Stalingrad but had marched on to England, the British Empire would have gone.

Mr. DEPUTY SPEAKER: The hon. member is making a speech.

Mr. MOTTLEY: I must get it on the record that I refute what the hon. member has said to the effect that had it not been for the Russians the British Empire would have gone, because as I pointed out Great Britain carried the War one year by itself, won the Battle of Britain and saved the world, and gave him an opportunity to be a Minister in here, and I think the hon. member will agree with that. All of us are grateful for that.

Mr. DEPUTY SPEAKER: I am speaking to the hon. senior member for the City.

Mr. MOTTLEY: I must apologise to Your Honour if I caused you any inconvenience.

Mr. DEPUTY SPEAKER: That is what I was asking you to do. As you have done it, you can take your seat.

Hon. M. E. COX: Mr. Deputy Speaker, I was about to read the Resolution. It reads as follows:-

"WHEREAS the future of the sugar industry is uncertain and there is therefore urgent need to place every phase of its operation on the most rational basis,

BE IT RESOLVED that the Government take steps to invite the Sugar Enquiry Commission" - I do not know if that is a mistake because it says "to invite the Sugar Enquiry Commission" - under the Chairmanship of Mr. Carl Goldenberg, Canadian economist-lawyer, which recently enquired into the sugar industry of Jamaica, with such excellent results for the workers and cane farmers, to under-

take a most exhaustive investigation into all phases of the sugar industry in Barbados." 4.25 p.m.

The future of the sugar industry, he emphasized, is uncertain. Well, Mr. Deputy Speaker, I do not think that it is beyond the knowledge of the hon. member who brought in this Resolution that our sugar industry is guaranteed up to 1968. We have a guaranteed quota of sugar and there is an agreement between the sugar producing areas under the Commonwealth Sugar Agreement and the British Ministry of Food that the British people will purchase a very substantial percentage of our sugar up to 1968. And, the hon. member knows that every year this Committee meets and another year is added to the agreement.

REVERSION TO GOVERNMENT BUSINESS

Mr. DEPUTY SPEAKER: It now being 4.30 o'clock, this House now reverts to Government Business.

HOUSE RESUMES DEBATE ON AGRICULTURAL CREDIT BANK BILL

Mr. DEPUTY SPEAKER: On the suspension of the sitting, the Hon. Minister of Agriculture was addressing the House.

Hon. D. D. GARNER: Mr. Deputy Speaker, before the sitting of the House was suspended, I was dealing with the Bill to repeal the Peasants' Loan Bank Act and substitute in its place the Agricultural Credit Bank Act. I was developing the point that this new Bill has made sweeping changes from the old Bill and that it also makes similar demands on those people who stand to benefit from this new Bill. In other words, if you have authority, you must also realise that you have responsibility. It means that if this Bill gives one the authority to get a loan as a tenant, he must bear the responsibility of repaying the loan even although he does not own the land. I also pointed out to hon. members that that would be no hardship to the tenant because we have made every safeguard for him. Mr. Deputy Speaker, you, yourself, know that these things were a long time coming because this is not a Bill which has a model all over the West Indian Islands. This is very unique and peculiar to Barbados. The work which is done by this Bank is usually done by Co-operatives in other islands and in some cases, it is not done at all. Farmers in Barbados have been very fortunate in being able to get all of these services without much inconvenience.

I have said quite a lot on this Bill this morning and I do not intend to repeat the remarks which I have made. I only want to recommend it to the farmers of Barbados and to say that it is a good Bill and where it has certain generous portions, it also has a few stings: but the stings will only apply in the case where people intend to take advantage of the Bank. Any responsible Government which is organising a Bank such as this or putting funds at the disposal of people, or anything like that, should see to it that the people who stand to benefit from these things honour their obligation. We have the Sugar Industry Agricultural Bank as an example of what honesty of purpose really means. I need not go over the whole historical background of the Bank because I think everybody knows that at some time previous when the sugar industry was in trouble that money was granted to help those in the sugar industry and that they did not take it and divide it among the plantation owners. It was put in a Bank from which they could get a loan and today it is a tower of strength to the big planters.

Of course, Sir, this Bank which we are operating does not make money. The money received from the interest which it charges is far below what it takes to operate the Bank. We have to pay the staff, and the little money which it receives by way of interest is negligible. It costs the Government a certain amount to run this Bank, and it can be said that it is really a service which we provide for peasant farmers; therefore, because of that, should I say, a dishonest element in the planters, that element would destroy the spirit of this Bank so that its usefulness would be denied those people who know what it means to have

this service. We have gone further and stated in Clause 22 what security we accept in respect of loans to owners and tenants.

I think I can safely say that this Bill does not impose a hardship on anybody. However, when people talk of Government money, they should realise that there is no animal isolated somewhere or any spirit located somewhere which is called Government. All of the people in Barbados constitute the Government and the Government is administered by Ministers, officials and what not. Government is not something detached from human beings; and knowing that, we have to safeguard institutions such as this. There are many people who do not understand what Government means and they look at it as if it is something detached from the people. Some people believe when they get a loan from this Bank that there is no need for them to repay it because they say that it is Government's money.

Now, who is the Government? What constitutes the Government? We, who are in responsible positions must see to it that we make circumstances very easy and ready to help people, but we must also see that when we establish institutions for this purpose, they are maintained.

4.35 p.m.

Now, Sir, Section 22 of the Bill says this:

"(1) Subject to the provisions of subsection (3) of this section every loan made to an owner under the provisions of this Part of this Act, shall, in addition to the personal liability of such owners for repayment of such loan or the interest thereon, be notwithstanding the provisions of any other law to the contrary:-

(a) in priority to all other liens and charges, a first lien and charge against the holding (including the live and dead stock of such holding) in respect of which the loan is made; and

(b) a first lien and charge against —

(1) the crop, to be reaped, or begun to be reaped in the agricultural year in which the loan is made; and

(ii) the crop or crops to be reaped in any succeeding year or years during which the loan or part thereof remains outstanding."

I think I said already that these loans vary. We have several types of loans. We have one for the tractor service which will be repaid over a period of three or four years; we cannot expect to collect that loan in one year. Then we have a loan for livestock which is for a seven-year period; then there is one in respect of the Co-operative Movement, the purchase of lorries and what not, and that is for a twenty-year period. Then there is a loan for clearing mortgages. It is a good thing that we have repealed the old Act because owners of land who find themselves in difficulty in paying off the mortgages can now get 60% of the value of the land. I think that this Bill runs very far; it goes a long way from the old Bill. I repeat, for the last time, that loans which were made before the coming into being of this Act will be covered by this Act. In other words, although this old Act is being repealed, with the coming into operation of this new Act, this new Act will take into account all the responsibilities of the old Bank.

I think I have said quite a deal on this Bill. I have spoken about irrigation, about responsibility, about staff, about housing, about livestock and perhaps on all the aspects of this Bill. From the Government's point of view I think that this Bill will serve a useful purpose. I have referred to the aspect of not advertising the names of borrowers in the Press. That was a sore point with some of these people, and in order to please or facilitate them, we have dropped that aspect of the matter. Nevertheless we will have to retain a Solicitor in order to search titles. We will be relieved of the printer's bill for advertising now that that aspect will be removed.

Mr. Deputy Speaker, I think I have made all the points relative to this Bill and if any hon. member wants to say what he feels about it, I would be very glad to hear what the comments are. Before I sit down, I want to say that this Bill is long overdue, but we could not have brought it down before. There was no model on which to work, and so it had to be brought down according to our purpose. I hope that this Bill will give the satisfaction to the farmers as it has given us to bring it before this Honourable House.

I will repeat the new features in this Bill. It has, amongst other things, a few sweeping changes. It has a provision for the staff along similar lines to that of the staff of the Government Savings Bank. These officers will have the same privileges and obligations as officers appointed under a Civil Establishment Order. The Bank will be empowered to make loans to any Co-operative Society which is registered under the Act for specific purposes. The provision of advertising for the issue of loans has been removed. The Board will utilise the services of its Solicitors in order to search titles. The Bank is exempted from Income Tax, Trade Tax, Stamp Duties and other fees.

At this stage Mr. SPEAKER took the Chair.

Hon. D. D. GARNER: Mr. Speaker, I was reiterating the changes which this Bill brings about. The position of persons who have made loans under the old Act has not been affected except that the position has been tightened up. I now beg to move that this Bill be now read a second time.

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

Mr. TALMA: Mr. Speaker, while agreeing with the general principle of this Bill, yet the Bill in itself merely gives a high-sounding title to the old Peasants Loan Bank Act. This Bill is called the Agricultural Credit Bank Act; it is a Bill which, in truth and in fact, consolidates most of the provisions of the Peasants Loan Bank Act with the addition of granting loans to Co-operative Societies. To suggest that this Bill in itself will grant any new and additional benefits to the owners and peasants of this island is far from actually stating the case and interpreting the provisions of this Bill as they are.

4.45 p.m.

The policy of the Government with regard to peasants, whether they be owners or occupiers of land or even squatters under the very 1955 Act, has been to aim at maximum productivity, and the provisions of the Peasants Loan Bank Act were extended from 1955 so as to afford occupiers and even squatters of land with no legal title deeds whatsoever to be granted loans for agricultural purposes in order to ensure the greatest measure of productivity. In that respect, Sir, it is nothing new; it is what obtained in this country since 1955; so to say that any new or additional benefit will be derived by the owner, occupier or squatter as such who has no legal title to the land in his possession is not correct.

I agree, Sir, that by the provisions of this Bill certain credit facilities will be extended to Co-operative Societies, and it is in that respect mainly that I refer to section 30 to which the Hon. Minister referred at length in pointing out that this Bill will serve a useful purpose. While agreeing with the principle of setting up a body corporate and making the Bank a body corporate, and while agreeing to its perpetual succession and a common seal and all the necessary paraphernalia of a corporate body - because this is in reality a statutory company - while agreeing to the provisions, powers, constitution and objects of the Bank as set out in part 2 of this Bill, yet I want to draw to the Minister's attention the fact that the powers of the Bank should be very clearly defined, because the powers as set out in Clause 3 (2) will be tantamount to the Memorandum of Association of a Limited Liability Company. The powers should be clearly defined, or else the time will come when the Bank may want power, say, to borrow money as the Transport Board has done on numerous occasions in the past. The Bank in turn may seek power or believe it has power to borrow money.

Mr. Speaker, if it is the intention of the Government that the Bank be given power to borrow, now and now alone is the appropriate time to have that provision included in

the Bill. To leave it loose and open so that no definite power is given is in my opinion the wrong way to proceed. With Your Honour's permission, I will read the appropriate part of this Bill which deals with the most important part of the entire Bill - the powers of the Bank which is tantamount to the Memorandum of Association of a Limited Liability Company. The paragraph reads as follows:-

"The Bank shall be a body corporate with perpetual succession and a common seal and, subject to the provisions of this Act, shall have power to acquire, hold, and dispose of the land or any interest therein and other property of whatever kind and to enter contracts and do all things necessary for the purposes of this Act."

Then it goes on in the next paragraph as follows:-

"The Bank may sue and be sued in its corporate name and may be for all purposes be described by that name."

Now, Mr. Speaker, if the Bank has power to acquire, hold and dispose of land, inferentially, as lawyers in this House may tell you, it should have power to borrow. Let us assume that the Bank acquired land and did not pay the full purchase price for it, and there is a vendor's lien raised, that in itself is tantamount to an equitable mortgage and, if under seal, a legal mortgage; so then the Bank should have power inferentially, although it would not be expressly stated here, to borrow. If that is the intention of the Hon. Minister and the Government, by all means it should be stated here: or else the members of the Board of the Bank in future will not know how far their powers go or how much is actually vested in their hands.

That is one flaw, Mr. Speaker, which I see in this Bill, because the Peasants Loan Bank, which will now be called the Agricultural Credit Bank, being a corporate body, should have power to acquire, hold and sell land. If they can go in to the land business, they should also have power to borrow, because it is all tied up in the same transaction. If the Minister sees something sound in what I am saying, it may be a good thing for him to see that the necessary insertion is made, because to set up a Statutory Corporation and have them penalised or hamstrung in such a way that they cannot borrow may mean that it may not be able to function as effectively as it would otherwise be able to function.

I take it that the object of this Bill is to set up a Statutory Corporation on a footing which would grant them all facilities in functioning as a body corporate; so that is my first submission as far as this Bill is concerned by way of suggesting to the Minister that it seems to me as though something has been omitted here in so far as the powers of the Bank and the Board are concerned.

4.55 p.m.

Now, Mr. Speaker, this Bill which seeks to establish this corporate body will, in truth and in fact, be establishing what may be termed an anomalous body corporate in that it varies from the rules in many respects. When I say that, I refer specifically to Section 12. If you refer to that Section, you will see at sub-section (1) that the Staff of the Bank shall be appointed by the Governor. You will see that the appointments and conditions of service will be vested and controlled by the Civil Establishment (General) Order of 1956. You will see that in so far as salaries and emoluments of the staff are concerned that will be in the hands of the Governor-in-Executive Committee after consultation with the Board. You will see that the funds are to be voted by the Legislature and pensions would be controlled by an order of the Governor which will be published in the *Official Gazette*. That is a conglomeration. No one is against the appointments to the Bank being vested in the Governor-in-Executive Committee and not in the House of Assembly. That can be regarded as a result of further advancement by way of constitutional advancement. It may have been suggested so as to give a greater security of tenure to the employees of the Bank so that these employees will not be molested by the whims and fancies of members of the Board of this Bank as happened in the past. I know that we have a special Act which grants people in the Public Service security of tenure, and now it is intended to extend it to the Manager and other officers of this

Bank and because members of the Board have great power, I think it is for that reason that the Minister has tried in his way, but it is a very anomalous way to ensure such should be the case when the appointments to this Bank would be made by the Governor and conditions of service by a Civil Establishment Order and then salaries would be in the hands of the Governor-in-Executive Committee and funds are to be voted by the Legislature.

I am merely offering certain criticisms on the Bill with the hope of trying to improve it. I am not attacking the Bill, although in reality it does not carry us further than we are. It gives a further measure of security to the employees of the Bank and places greater power in the Governor-in-Executive Committee but it takes away whatever power which was granted to members of this Honourable House.

To say that tenants stand to benefit from anything further is not true, unless they form themselves into Co-operative Societies under Section 30 of the Bill they will have even greater facilities than ordinary tenants and ordinary owners. Under Section 30, loans may be made to Co-operative Societies for all or any of the following purposes (a) for the purpose of the purchase and distribution of artificial fertilisers; (b) for the purchase of motor and other mechanical equipment for agricultural purposes.

Why did the Minister not include paragraph (b) in the case of ordinary owners? As far as I remember, the average owner is not granted a loan for the purchase of a motor car or other mechanical equipment for agriculture. It may be said that very few owners would in his own right take advantage of this facility, but it should be left to the individual and he should not be prevented from securing a loan for purchasing a motor vehicle or other mechanical equipment for agricultural purposes. I think the Hon. Minister of Agriculture should include Clause (b) in the earlier provisions. There is no reason why he should not do that, and it is not for the Minister to say that not one owner, peasant or tenant would take advantage of it because a tenant or peasant is an owner of land up to 25 acres. It has been extended to 25 acres in my time; so it is not a point that no single owner or occupier would be able to take advantage of that facility.

If the Minister can see the wisdom in including paragraph (b) "for the purchase of motor and other mechanical equipment for agricultural purposes" in the earlier clauses, I think that he will make some improvement to the present Bill. It is not in our place to say that a peasant with 25 acres should not have his own tractor. He may purchase a tractor with the assistance of the Government, and by that means he may also be able to do other agricultural work in that area among the other peasants.

Hon. D. D. GARNER: I rise on a point of order, I think the hon. member knows that the Government has a tractor service for these people.

Mr. TALMA: I know that, I know that the Government has a tractor scheme for peasants. The scheme was started during my time and was successful, but it never met the demands of the peasants. That is why I am making the suggestion that these facilities should also be given to tenants who may want to buy mechanical equipment. It is not in our place to say that he is too small a fellow to have this equipment and only a Co-operative Society should have it. It should be left to the person to decide and not to us to decide. I say that because a peasant today as is defined by this Act is not one who holds five acres of land; he is a man who holds 25 acres of land.
5.05 p.m.

I am wondering if the Minister only considers peasants with twenty-five acres. A man with a three-acre lot is also a peasant. I do not see why the Minister could not agree with the inclusion of a sub-clause in Clause 19 to read as follows: "For the purchase of motor and other mechanical equipment for agricultural purposes." If the Minister would agree to that, then he could say that he is doing something for the owner or squatter. If the provisions do not go any

further than the Peasants Loan Bank Act with regard to the single owner having more facilities, I do not see how he stands to benefit more than he did under the 1936 Act. This Bill has only a high-sounding name with no more benefits to the owner; it is a rose by another name.

A lot has been done from 1936, but this Government has not guaranteed any further facilities except in respect of Agricultural Credit Societies which were hard to be built up. It is difficult to get these Societies working unless you have some practical benefit. As to the marketing of canes, these people could have their canes transported to the factory at a low cost. It is only if it is a practical way in which the peasants stand to benefit that this Bill could be of any great assistance to them. To leave out provision for the transportation of peasants' canes except in the case of the Co-operative Society is not what is desirable. The inclusion of such a provision is just what the individual peasant is looking for. He is not getting the privilege of being able to purchase a motor lorry or other mechanical equipment.

In this Bill greater protection is given to the employees of the Bank. Their pension rights have been set out and they are not left so much in the hands of the members of the Board, I am happy to see that the interest of the staff of the Peasants' Loan Bank will be protected. I have very little more to add to what I have already said. One respect in which this Bill deviates from the old Act is that it makes provision for the remuneration of members of the Board. This is what Clause 6 (3) says:-

"The Chairman and other members of the Board shall receive such remuneration (to be paid out of the funds of the Bank) as the Governor-in-Executive Committee may from time to time determine." At present the members of the Board sit free, gratis and for nothing and they have done so from time immemorial. With the passing of this Bill, the hand-picked members of the Board by the Governor-in-Executive Committee will receive remuneration; the stooges of the Government (Mr. STRAUGHN: Of which Government?) Of whichever Government is in power. The Bill in itself is a hotch-potch arrangement in that it brings into account all the provisions of the Peasants Loan Bank Act and incorporates new ones dealing mainly with Co-operative Societies. It may be a means of having one Bill and a Bill brought up-to-date in that the Peasants Loan Bank Act was passed since 1936. It has served a very useful purpose. This Bill was introduced by the Conservatives, improved upon by Labour Governments and now the present Labour Government is seeking to bring in Co-operative Societies. It is in that respect — and that only — that the Bill deserves our support. The other provisions of the Bill do not offer much in any way; the Bill opens the door for the administering of the Agricultural Credit Bank. As I have already said, it is just a high-sounding name for carrying out the same duties as the Peasants Loan Bank Act.

Mr. STRAUGHN: Mr. Speaker, the hon. member who has just sat down has said that this Bill is just a rose by another name. He could have added that the rose by another name is just as sweet. This Bill is an improvement, as he has admitted, on the old Act, because it brings in Co-operative Societies. The Hon. Minister in the course of his remarks did make mention of an irrigation scheme and he particularly mentioned that some of the smaller farmers have found it impossible to provide adequately their own irrigation scheme. Irrigation schemes are regarded as being important; with our geographical position, the weather plays many tricks. As the Hon. Minister has said, if the water does not come down we must bring it up.
5.15 p.m.

He did mention, in passing, something which I would like him, if he may, to clarify a little further about the Water Board and the Inspector of wells, which post was established by us some time previously, and which, as far as I know, has not yet been filled. Evidently there must have been some technical and administrative difficulties that would have precluded the filling of such a post, but am I to understand that the Water Board itself would have power not only over wells which are now in operation, but

also to inspect sites where people would propose to sink wells for irrigation purposes? Does this fall under the duty of the person who would be appointed as Inspector of wells if and when this person is appointed? I got the feeling from the Minister's remarks that perhaps this Inspector of wells was not to inspect existing wells to see if they were in order, but to make a check of sites where people propose to sink wells. My interpretation might not have been correct, and I think a clarification from the Minister would certainly help us immensely.

Hon. D. D. GARNER: Mr. Speaker, there has not been much debate on this Bill; at least I did not think there would be. As I said before, I think this would serve a very useful purpose. Nobody is denying the fact that this was here since 1936, but my intention is that it should now be handled by the Government, and we have brought in new services in this new Bill. I am hoping it will do greater good and will reach those people whom heretofore it did not reach. The hon. senior member for Christ Church was bitter and sweet, almost hot and cold. At one time he was saying it was a good Bill and at another time he said he was in Government and now he is in the Opposition, and therefore you must give him some credit. When he spoke the truth, he said it was a good Bill; I accept that. We cannot expect the Opposition to get up and praise what we do, because they would not get in if they told the people otherwise. I do not think he is getting soft; he would be getting soft if he got up and encouraged everything we did and gave the people outside something to praise us for.

Mr. Speaker, I accept everything he has said in good faith, and he has done the best he could under the circumstances. I should like to tell him, however, that at the moment I would not encourage Government to give the Bank any powers to borrow money outside of the arrangement now, because we only charge 3% of the Agricultural Bank, and you would have to be in the open market at perhaps 6 1/2% to 7%; Government would have to subsidize. We prefer therefore, to take the money from general revenue.

The hon. member made another point in which he said that the Bill did not do much more than bring in Co-operatives and so on; but if he had read the Bill thoroughly he would have seen that whereas people who wanted to borrow money to clear mortgages had to have 60% of the money invested in the land, today it is the other way around; they have to have 40% and we loan them 60%; so it is the reverse. There are a lot of people who are waiting on this Bill because they want money to pay off mortgages; so if you say that this is not going any farther, I must say that this is going a far way to help people repay mortgages and get their titles secure.

Mr. TALMA: On a point of order, I would like to bring to the Minister's attention that although in the normal course of business one can only secure a loan normally of 60%, there are cases where you get 75% in ordinary business. In the law books it says you can borrow up to two-thirds. You can get two-thirds of the money which you need from any Solicitor's office; so the Bank has not gone that far. If the Bank were offering 75%, then I could understand the Minister saying that he has done something substantial to bring it in line with normal practice.

Hon. D. D. GARNER: Again, Mr. Speaker, that is his opinion as against mine, perhaps.

Now, Sir, I wonder if the hon. member really knows the changes which have been brought about in this Bill so far as staff is concerned. The staff is absolutely happy with the changes made in this Bill. Heretofore they were set aside by themselves; in fact they had no connection with anybody else, but today they have a certain sense of security, stability and better terms. This Bill sets that out very clearly and distinctly; so to say that this Bill only serves the Co-operative section is far from the truth. It has a number of greater facilities in this new Act which could be enumerated here one after the other.

Mr. TALMA: Mr. Speaker, on a point of order, I cannot allow the hon. member to get away with that. I made it clear

on two or three occasions that the staff of the Bank stood to benefit from greater security and tenure of office, but I just went through the anomalous way in which it is done. The staff is appointed by the Governor, promotions and conditions of service are under the Civil Establishment, and salaries and emoluments are not in the hands of the Public Service Commission but in the hands of the Governor-in-Executive Committee and the Board. I happen to understand what it is all about. They are still in the hands of the Legislature because we have to provide the funds for them to run the Bank. It is not a corporation which issues shares; it is a Bank financed by the Legislature, but no power is vested in the Legislature itself, because the power is vested in the Governor-in-Executive Committee.

Mr. SPEAKER: The hon. member spoke rather exhaustively on that, but now he is repeating what he said already.

Mr. TALMA: I have to because I am being misquoted and therefore I have to explain in detail to break down that misrepresentation. I appreciate the privilege which Your Honour has accorded me, and like that I do not think I will continue, because I think I have said enough.

Hon. D. D. GARNER: Mr. Speaker, I have no intention of having any argument or generating any heat with any hon. member. I have not misquoted the hon. member; I was just pointing out to the House that he said that so-and-so was so, and I am saying that it has gone further than this so-and-so about which he has told the House. In other words, he is trying to make us believe that it is still a limited Bill and should go much farther, because we have only done one particular thing. He was very much at pains to say what this one particular thing was, and he had to say it because it is absolutely new; but if he had taken time out to read the various provisions in this Bill and the many benefits which go farther than the old Act, he would not have said it. It is my duty to point out where the benefits are; so why should he take exception to that?

Mr. Speaker, I am here to defend the Government and my position; I am not trying to say anything about him. I was at pains, Sir, to point out the irrigation facilities in this Act and I told the House what we intend to do for the farmers by way of their approval to this Bill. I think I spoke at great length on this in this morning's Session, and I need not go over that because I think the hon. member was here. This Bill provides and gives more latitude.

Now, Sir, my colleague asked what about the Water Board and the Inspector.
5.25 p.m.

Well, Sir, I would like to tell not only the hon. member but the House for information that sometime ago I really thought of doing something about the Water Board and the Irrigation Board; but my experts and technical people must have the proper sources of water to carry out a proper irrigation scheme; hence, we are getting a Water geologist and I think before another month is ended we will have his services. Some people dig a well just two or three feet and they get water. Other people dig as far as 190 feet and cannot get it. It is my policy, so long as I occupy this position, to see that these people are not put to the expense of digging these wells and putting up these fan mills and diesel engines. It is my policy that water must be carried to them and it must be metered so that they would not be able to use it indiscriminately. Do not put them to the expense of digging a well and putting down machinery which is incapable of maintaining their acre of land. They cannot cope with the expenses incurred by the operation of these things; therefore, we should make it convenient for these people who have small plots of lands to get water. Carry the water to them, but be sure that you meter it in order to save the indiscriminate use of it. If you carry water to them, they will know that they would pay a reduced rate for it and they will not use it indiscriminately as if it were free without a meter. Everybody knows how the Government works. When I have an idea and it is to do with another Ministry, then the other Minister has to say something about it. After that, all of us have to get together.

I am happy to say that a geologist will be coming shortly and he will be working under my Department because I have the most need for him. If the hon. senior member for Christ Church had listened to me when I spoke earlier, he would have learnt that this Bill will give a lot of scope to these people who heretofore did not have this service. We, of the Government, cannot go out and talk to people of what we are doing because before we know what is happening, somebody will come in here and ask questions and then try to make the people believe that they are doing it. Therefore, you have to wait until things are almost *fait accompli*.

The hon. member said that the tractor scheme was started in his time. Mr. Deputy Speaker, I do not know why the hon. member persists in saying that. History has it recorded that the hon. member was the first Minister of Agriculture in Barbados and history will record that I am second. Why go over that all the time? The hon. member and I are very friendly and, as a matter of fact, he should be over here and I should be over here too. I did not want to succeed him.

Mr. TALMA: Mr. Speaker, I rise on a point of order. The hon. member has a way of speaking to suggest that since he has been Minister all of these things have happened for the first time.

Hon. D. D. GARNER: Sir, I object to that. I made no such remark. What I was about to say was that the hon. member said that the Government was ploughing the peasants' land in his time. The Government had a pilot scheme in his time and from the files I have in my office on the scheme, it almost cost \$60 an acre to plough these peasants' land. At that time, the scheme was only carried out in parts of St. Philip and Christ Church. The scheme which we have today is an island wide scheme. If you live in St. Andrew, you can get the service.

Mr. TALMA: Mr. Deputy Speaker, I rise on a point of order. The Minister will not be allowed to get away with that propaganda. To my recollection, the pilot scheme at that time was costing something like \$20 per acre and not \$60.

Hon. D. D. GARNER: Sir, I went through this matter very thoroughly and when I told some of my technical advisers that I wanted to start this thing again, if I had minded them, I would not have had it because of the cost. I do not want to bring these things out. As I have said, there was a pilot scheme. When a man went in with a tractor to plough, another man went behind him who was doing nothing at all but taking time sheets and making out time. He was a sort of time-keeper. I am not saying that the hon. senior member for Christ Church did not do anything but it was only a pilot scheme. From the facts which they got at the time they came to the conclusion that it could not work. Then again, the machinery which they bought for this purpose was too heavy. You had the D4 tractor and it seems to me that the people who advised the Minister at that time did not know what they were doing.

Mr. TALMA: Sir, I rise on a point of order. To say that the scheme did not work is not correct. It was a successful scheme and it was in great demand and it is for that reason that the present Minister has got it on a bigger scale.

Mr. SPEAKER: The Minister said something quite different. He said that the cost was too great and because of that the scheme fell through.

Mr. TALMA: How would he be able to get on to this new scheme if the pilot scheme was not successful?

Mr. SPEAKER: This is not Question Time.

Hon. D. D. GARNER: That is one item. How can you send in a heavy D6 tractor to plough a half acre of land? The time that such a tractor would take on the road and then to move around in the half acre of land, it just could not pay.

Mr. TALMA: Sir, I rise on a point of order. For the Minister to say that they were D6 tractors, that is not true. There were different sizes of tractors.

Hon. D. D. GARNER: I was quoting one particular tractor. I was just proving to the House that it could not work because the people who were doing it did not know quite enough of it.
5.35 p.m.

You must know what you are doing when it comes to agriculture; you cannot just read a book and deal with agriculture.

Mr. TALMA: The Minister is saying that unless you can go into the field and dig cane holes you cannot be Minister of Agriculture.

Mr. SPEAKER: I will not entertain that point of order.

Hon. D. D. GARNER: Mr. Speaker, I will keep that for another time; the time will come when we will meet on the soap box. Whether it suits him or not, practical experience helps. People tell me things in a theoretical sense but in a practical way it cannot work. Therefore you should get into the soil and know something. I was brought up on a farm; I love the farm so much that I wish I was there now. There is nothing like farming and living close to nature and enjoying the fruits of nature. I do not think that the hon. member means to be in any way offensive. I love farming; my forefathers have been farmers. We must have people at the College to learn the craft. You should not only theorise by reading a book but you should do things yourself.

Two years ago when I was on an overseas visit there was a group of young boys who told me this: "Mr. Minister, we want to get back to Barbados where they clean cow-pens and wash cows". I said that if you complain about that you do not deserve the job which you are now holding because you cannot teach people to do a job if you yourself have not practised it. You cannot say that you feel for these agricultural labourers and so on unless you go into the land and the perspiration runs down your cheek and is salt. If you have not got that experience you cannot feel for these people or teach them anything. You are only making sport.

I was telling the hon. member who asked a question about the Irrigation Board that we are trying to get these bodies together — the Waterworks Irrigation Section and the Water Board Section — so as to make a really good substantial job for the farmers. I am dissatisfied with this Section which deals with irrigation by means of fan mills and so on. That puts people in debt. Let the Government marshal its forces together and make a start. We have spent a few thousand dollars in St. Philip and in Christ Church and later on we will get water in St. Andrew which will help the area down there. As soon as the geologist comes, and we have a survey made, we will have a programme to present to the domestic users as well as to the farmers. These problems are being tackled by people who have the "know how". Perhaps if I did not know about irrigation or working a kitchen garden I would not know how hard it is upon a poor man when he digs a well and puts up a fan mill, and then the wind does not blow. If he can get water with a meter attached to his premises he is far better off than with a fan mill. That is the plan which I hope to bring forward in the near future. I have to come down to this House with a statement to that effect before long.

I feel that the hon. senior member for Christ Church admires what has been done in this Bill. I do not know if he is still the shadow Minister in the new set-up, but I believe that he realises that the Bill has some benefits in it. I recommend this Bill to this House as being very far from what the position originally was in 1936. It puts a lot of confidence in people who do not even own anything. I am not saying that that has not been done in the past, but we are giving people more latitude and making the position more businesslike. I did not know that the hon. member would say what he said.

The hon. member made a point about the members of this Board being paid. I think that that it as it should be.

People who devote their time to the working of other institutions are paid, and if the members of this Board are paid, I do not see that there is anything wrong about that. This is the last of that statutory provision where this House appoints members of the Board and soon. Where this House appoints members to this Board, that will come to an end; all of that will be done by the Governor-in-Executive Committee. That system is antiquated and it does not fall in with political advance. We are therefore taking the opportunity to rectify that provision in this Bill.

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

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

Clauses 1 and 2 were called and passed.

Hon. D. D. GARNER: I am sorry, Mr. Chairman, I have an amendment to offer to Clause 2.

Mr. CHAIRMAN: That will have to be done at a later stage.
5.45 p.m.

Clauses 1 to 13 inclusive were called and passed.

Clause 14 was called. It reads as follows:-

14. (1) The Governor may by order published in the *Official Gazette* declare to be a pensionable office any office in the service of the Bank.

(2) Every order made under subsection (1) of this section shall, subject to the approval of both Houses of the Legislature, have effect as if it were an order made under subsection (1) of section two of the Pensions Act, 1947.

(3) In determining for the purposes of the Pensions Act, 1947 and any regulations made thereunder the qualifying service or pensionable service of any officer or employee of the Bank -

- (a) holding at the date of the coming into force of an order made under subsection (1) of this section any office specified in such order; or
- (b) appointed to such office after the date of the coming force of such order,

any period of continuous served by such officer or employee with the Bank in any such office, whether or not such service was prior or subsequent to the coming into force of such order, may be taken into account and for the purpose of determining whether or not such period of service shall be treated as continuous service, regard shall be had to the provisions of the Pensions Regulations, 1947.

(4) All service which by virtue of the provisions of subsection (3) of this section may be taken into account as qualifying service or pensionable service of any officer or employee of the Bank by whom such service was served, shall for the purposes of the Pensions Act, 1947 and any regulations made thereunder be deemed to be service in a civil capacity under the Government of this Island entitling such officer or employee, subject to the provisions of that Act and the said regulations, to a pension or gratuity or to a pension and a gratuity thereunder in accordance with the provisions thereof.

(5) For the purposes of this section the expressions "qualifying service" and "pensionable service" shall respectively have the meanings ascribed to them by regulation 2 of the Pensions Regulations, 1947.

Hon. D. D. GARNER: Mr. Chairman, I beg to move that Clause 14 stand part.

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

Mr. TALMA: Mr. Chairman, before you put the question, I just want the Minister to know that I have read the Bill sufficiently well to observe that there is a typographical error in sub-clause 3 (b) of Clause 14. In the third line I presume the word "served" should be "service".

Hon. D. D. GARNER: Mr. Chairman, I am asking leave to amend sub-clause 3 (b) of Clause 14 by inserting immediately after the word "continuous" in line 3 the word "service".

Mr. CHAIRMAN: The Hon. Minister is asking leave to insert the word "service" immediately after the word "continuous" in line three of sub-clause 3(b) of Clause 14, and unless there be any objection, leave will be granted.

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

Hon. D. D. GARNER: Mr. Chairman, I beg to move that the word "service" be inserted immediately after the word "continuous" in line three of sub-clause 3(b) of Clause 14.

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

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

Hon. D. D. GARNER: Mr. Chairman, I beg to move that Clause 14 as amended stand part.

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

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

Clause 15 was called and passed.

Clause 16 was called. It reads as follows:-

16. (1) The funds of the Bank shall, subject to the provisions of this Act, be applied towards -

- (a) the making of loans in accordance with the provisions of this Act;
- (b) the payment of the remuneration, fees and other allowances of officers and employees of the Bank;
- (c) the payment of the remuneration of members of the Board; and
- (d) the payment of all other expenses properly incurred pursuant to the provisions of this Act.

(2) The Board shall in respect of the financial year in which this Act comes into operation and every financial year thereafter on the demand of the Accountant General pay out of the funds of the Bank into the Public Treasury of the Island in aid of the pensions of the officers of the Bank a sum equal to one quarter of the total sum of the salaries paid in each financial year to such officers serving in that year or any part thereof in any office specified in an order made under section fourteen of this Act to employees of the Bank serving in each year or any part thereof to whom the provisions of the Public Employees Pension Act, 1937, apply.

Hon. D. D. GARNER: Mr. Chairman, I am asking leave to substitute a semi-colon for the full stop appearing after the word "Act" and insert the word "and" immediately after the semi-colon in sub-clause (1) (d) of Clause 16.

Leave was granted the Hon. Minister.

Hon. D. D. GARNER: I beg to move that Clause 16 as amended stand part.

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

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

Clauses 17 and 18 were called and passed.

Clause 19 was called. It reads as follows:-

19. Loans may be made under the provisions of this Part of this Act to owners and, where applicable, to tenants for all or any of the following purposes -

- (a) for carrying on the cultivation of holdings in this Island, including the cultivation of grasslands;
- (b) to enable the owner of a holding in this Island to pay the balance of any money owing in respect of the purchase of such holding so however that the amount of any such loan does not exceed sixty per centum of the fair market value of the holding at the time the loan is obtained;
- (c) for the irrigation of holdings;
- (d) for the purchase of livestock;
- (e) for the housing of livestock;
- (f) for acquiring a good or marketable title to a holding; and
- (g) for such other purposes as the Board may consider reasonable and necessary for increasing the productivity of holdings.

Hon. D. D. GARNER: I beg to move that Clause 19 stand part.

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

Mr. TALMA: Mr. Chairman, before you put the question, I want to draw to the attention of the Minister that the facility for purchasing motor lorries and other mechanical equipment which will be afforded Co-operative Societies is not being afforded the individual owner. I have already spoken on this point and I will not labour it any further, but I feel that the facility should be granted to the average independent owner just as to the Co-operative Society. A peasant holder of a twenty-five acre lot may want to acquire a motor lorry or tractor or some other mechanical device in order to assist him in the ploughing of the land and things of that nature; so I am going to move formally the insertion of a new sub-clause to be numbered (h) - or you can renumber the whole Clause by calling the present sub-clause (g) sub-clause (h), and make this new sub-clause (g), because sub-clause (h) is "for such other purposes as the Board may consider reasonable and necessary for increasing the productivity of holdings". That is a general Clause and should go last. I am therefore moving that a new sub-clause (g) be inserted to read as follows:-

"for the purchase of tractors, ploughs and other mechanical equipment for cultivation."

5. 55 p.m.

I am suggesting that it is not in our place to decide whether or not an average peasant can purchase or own a motor lorry or some other mechanical equipment for agricultural work. It should not be left to us to decide and for us to say that only a Co-operative Society can take advantage of that facility. It should be left for the individual peasant to decide. When they market their canes to the factories, they are paid at the lower rate and they can only get a higher rate if they belong to a Co-operative Society. That is not good enough. If we want to help the peasants, let us help them in every respect. Do not say to them that unless you join a Co-operative Society, you cannot get that assistance. Let him join a Co-operative Society of his own free will. As Your Honour knows, Barbadians are individualistic people and it is for that reason that Co-operative Societies have not taken root in this country over the last few decades. I admit that the Government is trying hard and is succeeding in a small way, but I can see the benefits which can be derived by the individual peasant if he is granted the facility of owning a motor lorry by way of aid from this Bank. He would be able to assist not only himself but the other peasants around him.

The only benefit which the peasants get in this agricultural community is by selling their canes in bulk and

that can only happen provided they can sell an amount of over 500 tons. It is only then that they will get the higher price for their canes. In marketing their canes in bulk, you should afford them the facility of the necessary means to own their own transportation. What is wrong with doing that? You are doing it in the case of Co-operative Societies, but so far as individual peasants are concerned, you say "no, no". That is not good enough. I am asking the Hon. Minister to consider the inclusion of this paragraph into the earlier Clause so that the average peasant proprietor, as long as he plants canes and assists in the productivity of the soil, be given full facilities just as what a Co-operative Society will have under this Bill.

Hon. D. D. GARNER: Sir, I am surprised that the hon. member after reading paragraph (g) still wants something new. He claims that he can read as well or better than somebody else. Paragraph (g) says:

"for such other purposes as the Board may consider reasonable and necessary for increasing the productivity of holdings."

On the other hand, if you do not even use that, I really do not believe that the hon. member is against people coming together in a Co-operative movement because what the Co-operative movement can do for them, surely the individual cannot do for himself. It is just like one island going it alone. It is just like Barbados going it alone instead of joining the Federation. Does the hon. member think that an owner of less than 25 acres of land would think of getting a loan to buy a motor lorry to draw canes from his holding? How many tons of canes would he be buying the motor lorry to draw? Let the hon. member think of the mechanics of it. In order to have a motor lorry, you must have work for it the year round. I do not see any peasant with any 25 acres of land finding work for a lorry all the year round. If they get together and send their canes in bulk to the factory, they will be able to get something like 30 cents per ton more for their canes. When one man owns something, he is out to get as much as he can from the other fellow. We are out to encourage the team spirit among these people and to learn them "co-operation"; so I do not think it is anything wrong to say that if you want to get these things, form yourself in a Co-operative Society and have your books properly audited. I do not think that Government can give a loan to everybody who has five acres of land to purchase a motor lorry; but if they bind themselves in a group, then, they can get a loan for a lorry and the running of that lorry would be less expensive. From the economic point of view, consider a man who has perhaps \$2,000 in land or \$4,000 in property getting money to purchase a \$6,000 item, which when he puts it on the street and in somebody else's hand, there is a great amount of risk involved. And then there is the money which it would take to keep it on the road. Why should one individual involve himself in all that risk when a group of them can join themselves together and make it so easy for them? Surely, their burden would be so much lighter.

I hope the hon. member would not press for this. Even small plantation owners are now grouping themselves together because of the overhead costs it would be to each of them if they go alone.

Another thing which I should remind the hon. member about is that if you have a unit which is too small, it is uneconomic to run if you want to get the best out of it. The hon. member must bear all these things in mind. It is good advice to him. Any man who has \$5,000 worth of land should not be tempted to get a lorry to put in somebody's hand to run to jeopardise his property. As a matter of fact, lorry owners of today are finding it difficult to get enough work to give them a proper living out of it. The plantations today are better organised than they were previously: so you cannot get very much work from them. We are saying to the farmers that just as the big landowners are organised, the peasants should bind themselves together in Co-operative Societies so that when they come together as a group, the Government can help them. What we can do for a Co-operative movement and a Co-operative Society, we cannot do for an individual.

6.05 p.m.

We cannot do it; commonsense teaches that and business demands it. It is all right just to talk politics on a soap box or in here, but when you get to the people who are administering this thing, it is business and strictly so. When you come to the economics of the matter that is a different proposition. Let us be realistic. As much as the hon. member would like to make everybody the gift of a lorry.....

Mr. TALMA: On a point of order. The hon. member is attempting to reduce what I have said to an absurdity. I am pointing out that there are certain individual peasants who are big peasants in their own right, who can take advantage of the facilities of owning motor lorries. I did not say that every peasant should be given that opportunity, but that privilege could be given to a limited few.

Hon. D. D. GARNER: The hon. member uses the word "limited" now. The Government does not exist for a limited few. I take it that paragraph (g) covers everything. This section says: "Loans may be made under the provisions of this part of this Act to owners, and, where applicable, to tenants for all or any of the following purposes...." and then paragraph (g) says "for such other purposes as the Board may consider reasonable and necessary for increasing the productivity of holdings." I did not mean anything derogatory when I spoke just now. If the hon. member is kind-hearted he would like to see every peasant own a lorry. I was not throwing any aspersions against the hon. member; it was not meant to be in that way. I said that it would not work to give every peasant a lorry. I say that in the interest of the hon. member, of the House and of the Government he would not persist in that case because it is already covered in paragraph (g). I do not think that people want the provision to be any wider than this.

Mr. BARROW: Mr. Chairman, I am seconding the amendment moved by the hon. senior member for Christ Church for obvious reasons. I would like to make our position abundantly clear. Everything that the Minister has said appears to be a plea for collective farming under the Soviet system. What the hon. senior member for Christ Church was pointing out is that no matter what the Government would like us to know, no matter how much we deplore the rugged individuality of the peasantry, we have to face facts and realize that the small man in Barbados, whether he is a peasant or owner of three or five acres of land, should be given this opportunity without being forced into one of these collective camps or groups which, no doubt, the Minister would like to see instituted in this island. The peasant or owner should be given an opportunity to improve his productivity.

Hon. D. D. GARNER: On a point of order. I do not know anything about any forced labour camp or any such thing. We have been preaching Co-operatives about the island and I say that it is better for the small farmers to become small Co-operative groups.

Mr. BARROW: What is the distinction between collective farms in Russia and the Co-operative groups which he wants to see instituted in Barbados? Even the Russians are having trouble with the peasant farmers and they will always have trouble with them because the man who farms the land is a rugged individualist. The Hon. Minister went to India; I do not know if he reached China and was inspired by what he saw there. However, the rationale of mechanization is an increase in productivity which is effected by using mechanical appliances. The Hon. Minister has advocated that since you are more or less blackmailing people who do not join the Co-operative groups.....

Hon. D. D. GARNER: On a point of order.

Mr. BARROW: On a point of manners; he should not interrupt people.

Hon. D. D. GARNER: On a point of order. I do not know anything about blackmailing anybody. The Co-operative movement is a free movement of people on equal terms. Are you gainsaying that that can be said about Co-operatives? What can you expect from your Party if you do not co-operate? These people are working on an equal status.

I have been speaking to people about Co-operatives and when the hon. member talks about blackmailing, he is inferring that I am forcing people to do something.

Mr. BARROW: Was that really a point of order, Sir?

Mr. CHAIRMAN: The junior member for St. John may proceed.

Mr. BARROW: I thank you very much, but was that really a point of order? I would like the hon. member to spell "co-operative". Before the hon. member became elevated to the status of a Minister, he owned a portion of land in St. Philip and I believe that he still owns a considerable portion of land in St. Philip. He is now a plantation owner.

Mr. Chairman, I will prove rugged individuality now. The hon. member sends his canes to Foursquare Factory; to what Co-operative group does he belong? He had nine acres of land and since he has become a Minister he may have forty or fifty acres.

Hon. D. D. GARNER: On a point of order. The hon. member is wrong; not nine acres but fifty acres.

Mr. BARROW: In the hon. member's humble days when he used to speak to poor people like myself, he only has nine acres; now he has fifty acres of land. What Co-operative movement has he joined? He is more of a rugged individualist than anybody I know in the island of Barbados. It is not every small man with two or three acres of land who will get people to call for his canes in Pie Corner.

Hon. D. D. GARNER: Foursquare Factory will send for anybody's canes; if you had some they would send for them too.

Mr. BARROW: I am glad to know that people even the shareholders, can get their canes sent for. We are merely stating that no matter how much the idea of co-operation in business or in farming may be the consummation, as far as the relief of the Barbados situation is concerned, the people are just not co-operators.
6.15 p.m.

There are about 69 rum shops in Baxters Road; do you think that you can tell the rum shop keepers in Baxters Road that they should co-operate and have a big bond so that they can buy rum in a bulk from the rum refinery? No, Sir. These people are more individualistic, as the hon. member has pointed out, than any other group in the community. Here is the Minister of Agriculture himself, a peasant farmer, preaching co-operation which comes directly under his Ministry. Has the Minister himself thought fit to adopt co-operation? That is like being a bishop in the Church and not being confirmed.

Hon. D. D. GARNER: Will the hon. member vouchsafe if such a statement is absolutely correct or is he seeking information?

Mr. BARROW: I am making a broad statement and he is in a position to deny what I say. He should be able to say that he started off with one and a quarter acres of Marchfield and now he has fifty acres, and that is through the advantages of Co-operatives.

Hon. D. D. GARNER: I did not start off with one and a quarter acres of Marchfield. Before I came to this House I had what I have now; so do not make any sport. As a matter of fact, I had more before I came to this House than I have now. If you do not believe me you can go and search my papers; so do not make those statements because they sound childish.

Mr. BARROW: Do you understand what I am driving at, Sir? It is like being the Archbishop of the West Indian Diocese without being confirmed, because there he is as Minister of Agriculture preaching co-operation and he does not even belong to the Church! I am only making this illustration to bring home to him personally that what the hon. senior member for Christ Church says is correct. The

rationale of mechanisation is to increase productivity. Why should a man necessarily have to belong to a monolithic group whether it is a Co-operative Wholesale Society or as large a capitalist item as ICI in England? Whether it is a Co-operative group in St. Philip or whether it be Carringtons Estate Ltd., the point is that there is an unfortunate trend today towards amalgamation and monopoly and whether you call it a Socialist monopoly like the Soviet Union or a capitalist society which is a monopoly, nevertheless the backbone of the country is individualistic and therefore you have to accept *pro tem* certain proclivities that these peasants have, and try to help them improve their standard of living by showing them the benefits of mechanical tillage and so on.

Mr. Chairman, the hon. member has referred to Clause 30 as far as I can remember on page 21 of the Act. In sub-clauses (b) and (c) of Clause 30 you will see that Co-operative Societies are being given facilities for the purchase of motor vehicles and for tractors and ploughs. I know two or three peasants with less than twenty acres who have tractors and ploughs and they lend them to other peasants. When I say "lend", some lend and some rent them. To use more neutral terms, Sir, they make them available to other peasants in the districts, because often the tractors which they have at the Government farms are not sufficiently available to people at the time when they want them. If a peasant in his wisdom goes to the Bank and says he has enough security and he would like to purchase a tractor - it is true he is not in a co-operative, but he knows that if he had a tractor in his district the other people would be able to take advantage of it, or if he had a lorry he would not have to wait on Carrington to send for his canes, but he could send them to Spring Hall, Searles, Bulkeley or Porters and when he is finished he can make his lorry available to people and may be able to work for a few extra pennies hauling stones or sand from the various beaches as a side line - is there anything wrong with a peasant having a side line? Does the Minister feel that any farmer can live on his five acres of land and have a decent standard of living?

Mr. Chairman, you have to encourage therefore a self-sufficiency on the part of these people, and you should not tell them that they must join a Co-operative, because that is what I call political and economic blackmail. We have been preaching co-operation to the people of this country more than anybody else. Do not let the Minister feel that this is now a wonderful panacea for saving. There is co-operation on the part of the large plantation owners; co-operation and economic amalgamation is what they have; if you like to call it "co-operative", all right; but they are essentially looking after the profit motive. They analyse their income and expenditure and decide whether it would be a bigger return from amalgamating with another factory and closing down one factory, or joining up two or three estates and getting certain advantages and so on. It is not a way of life with these people; with the peasant farmer it is a way of life, and as long as he is condemned to a four-forward, I mean an agricultural fork, he must continue to have a low return out of his land. He does not have a large holding. The legal definition retained by Government is that a peasant is a man with twenty-five acres of land or less. It is highly problematical that a man with ten acres can make a decent return out of that land, and therefore the lower his expenses, the more efficiently he has his small holding organised, the better his opportunity of getting a decent income from the property. Why must he have to join a Co-operative?

There is no earthly reason, Mr. Chairman, why he should join. Why is it so offensive unless the Minister of Agriculture is dedicated to the principle of collective farming on the Communist basis? Why is it so offensive that the member for Christ Church should suggest that an individual should be given the same facility that a Co-operative group is given? The test to apply is not whether he has been forced into one of these farming units; the test is whether he has the security. Why does the Minister of Agriculture not listen? He might learn something from what I am saying, Mr. Chairman, a man who has a quarter of an acre of land and a board and shingle chattel house on it obviously have not got the kind of security which would inspire

him to go to the Bank and borrow \$3,000, \$4,000 or \$5,000 to buy a lorry. That sort of peasant farmer would much sooner get an advance to assist him with purchasing some more land and go on until he gets five, six or ten acres as the case may be, and when he gets ten acres, that is as much as he can handle, or twenty or twenty-five acres. The Minister of Agriculture can handle fifty acres. Some people farming on the scale upon which he is farming may be able to have fifty acres, but obviously when he gets to that stage unless he is getting a big subvention from Government in another capacity, he may think of transportation costs and making a little extra money out of something else. If he has the security he may want to buy a lorry; but this is not a lorry amendment; this amendment is to afford a peasant to purchase the same kind of mechanical aids to farming that the Co-operative group can.

6.25 p.m.

Mr. BARROW: Are we then going to say that the Co-operative group must be allowed to farm on the same scale as large societies and since you are a small man, although you may have 50 acres of land, although the size of your unit is such that it would be most convenient and economic for you to have mechanical aids, we cannot loan you because you are not one of the collective farming units? You are saying that this big brother is watching over you all the time and your big brother says that you should be a collective farming unit. All it means is that you must be in their books all the time; you must come to them and beg them to do this and that. They are saying that that will encourage individuality and you cannot encourage individuality and co-operation at the same time. It does not mean that when a man is in a co-operative venture he has lost his individualism. If you are saying that these peasants must join themselves into a co-operative group or a co-operative farming unit, whatever it may be, Mr. Speaker, all that you are doing is holding a gun to the peasants' head. In other words, you are using the economic whip against these peasants and it is the same thing as when you accused the capitalists of keeping the standard of living at just subsistence level.

Sir, I have great pleasure in seconding the amendment by the hon. senior member for Christ Church. He suggested that "for the purchase of motor and other mechanical equipment for agricultural purposes" should be inserted as paragraph (g) of the Section. I think the amendment should go a little further and it should incorporate the provisions of Clause 30 (c) which is "for the purchase of tractors, ploughs, and other mechanical equipment for cultivation."

Mr. TALMA: Sir, with your permission, I would like to say that I accept the amendment as moved by my colleague. In continuation, I will say that when the Hon. Minister spoke on the last occasion, he mentioned that paragraph (g) "for such other purposes as the Board may consider reasonable and necessary for increasing the productivity of holdings" would apply. That is a general paragraph and for him to say that that covers the amendment which I have proposed which is paragraphs (b) and (c) of Clause 30 is not correct. It must be specifically stated and set out as is done in Clause 30. If the general object and aim of this Bill is to increase productivity, why deny the small peasants of the opportunity of purchasing tractors, ploughs and other mechanical equipment for cultivation purposes? In other words, you are saying that if he stands alone, he must be penalised and must face up to all the difficulties in cultivating his land. That is so because you have made no provision for him to get these things under Section 19. You have made no facility under this Section to grant him the facilities for cultivating his land; therefore, we are saying that peasants, large or small, must cultivate their land and they have all the expenses and trouble in doing it as if they were banded in a Co-operative Society. If a peasant happens to be a member of the Co-operative Society, under Clause 30 (b) the Society can acquire a loan for the purchase of a motor and other mechanical equipment for agricultural purposes and under (c) for the purchase of tractors, ploughs and other mechanical equipment for cultivation; therefore, we are saying that you should also make it available to the peasant himself by putting it under Clause 19. If this Bill remains as it is, the

individual peasant would not be able to get a loan for this purpose.

Mr. CRAWFORD: Mr. Speaker, I do not think that there can be any real serious objection to this amendment to Clause 19 because in the final analysis where a peasant is given a loan, that loan will always be regulated by his assets. No Bank is going to lend him for any purpose whatsoever unless his holding will economically carry the burden of the loan. Since you have no doubt in your mind that if a man got a loan to purchase a motor lorry, he must have enough collateral to get the loan, I think you need not worry about it.

Sir, the only advantage held out to farmers in this country, as I see it, to co-operate collectively is the so-called advantage to get a better price for their canes. Under the Domestic Sugar Agreement negotiated between the Government and the Sugar Producers Association, the peasant growing canes has been told that if he markets his canes collectively, in amounts of 500 tons and over, he will get the same price as is given to a plantation. That is the only advantage set out for him to operate collectively.

But even, Mr. Chairman, in this matter of price of canes, the Government is actually fooling the peasants. This so-called offer of a special price if you market 500 tons and over does not operate in fact. It more or less operates by a trick. When they tell the peasants that they must market their canes in amounts of 500 tons and over and they will get the special price given to the plantation owners and then in the same agreement turn around and say that they can only get that price provided that the plantation has not got shares in the factory, since nearly all the plantations have shares in the factory, you are almost saying to the peasants that even if they market in terms of 500 tons you will not get the price. You tell the people on a platform to join a Co-operative and market their canes collectively and if they market more than 500 tons they will get a better price. That is not true. That is a deliberate falsehood and a misrepresentation of the facts. 6.35 p.m.

There is not a single plantation of any importance which has not got shares in the factory near it. The factory's life is that the surrounding plantations should have shares in it because that guarantees their canes.

Mr. CHAIRMAN: I think that the hon. member is getting away from this Section of the Bill with which we are dealing and bringing in a matter which he is attempting to debate. Do not let the hon. member debate the price of canes.

Mr. CRAWFORD: I am sure, Mr. Chairman, that you are labouring under a misapprehension. I began by pointing out that the only advantage held out to the peasants to join a co-operative group is in the question of the marketing of their canes. I told them at the time that they did not know what they were signing.

Hon. D. D. GARNER: As far as I know, nobody talked about getting the same price for canes as a plantation is paid. We told these people that if they grouped their canes together they will get a better price for them. It is a question of so many tons of canes for so much and so much. The agreement is there; five hundred tons of canes for so much and so much, two hundred tons for so much and so much. That is all in the agreement. Co-operation is a wide field and it will embody many things besides canes.

Mr. CRAWFORD: I am nothing to do with what the Ministry says. Later on I will demonstrate how little the Ministries know what they are doing. I am acquainted with the Domestic Sugar Agreement and there you will find that if you market your canes in terms of five hundred tons you will get the same price as a plantation gets; but later on in the same Agreement, you are told that you will get the same price for your canes as a plantation gets, provided that the plantation owner has shares in the factory. The only advantage which is held out to you is nullified in the same Agreement. If you ask somebody in the Ministry who knows what I am talking about, you will find out that what I am saying is true.

In so far as the advantage to be derived from co-operation is concerned, people have absolutely nothing to gain from it unless some of the advantages enjoyed outside of Barbados are brought into play here. In any case, there could be no harm in putting in this Bill the power for a man who has land to get a loan big enough from this Agricultural Credit Bank for mechanizing his production or for providing his own transport. None of us need fear that the people who run the Bank, unless people like those over there are the Directors of the Bank — square pegs in round holes — are going to sit down and give a man who has three or four acres of land a loan of \$600 or \$700 which is of equal value to the land. In order to get a motor lorry, you must have proper coverage; and if a person can afford it he will be allowed to get it. The Directors of the Bank can interpret this general Clause in whatever terms they like. As a matter of fact, it is highly possible that the people who are running this Bank will take up the Act and say that because no specific power was given to them to advance loans for lorries and tractors to peasants in the same way that they would do to co-operatives, it was not the intention in the Bill originally to do so. You will find that inequality is a reason for not doing it. That is the first thing that a lawyer would say. For that reason I am supporting the amendment.

The question that the words proposed to be inserted stand part of the Bill was put and resolved in the negative.

A division was taken as follows:-

AYES: Messrs. TUDOR, TALMA, BARROW and CRAWFORD. - 4.

NOES: Hon'bles Dr. H. G. H. CUMMINS, COX, GARNER, THORNE, MILLER, Messrs. SEARLES and SMITH - 7.

The question that Clause 19 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 20 to 24 inclusive were called and passed.
6.45 p.m.

Clauses 25 to 42 inclusive were called and passed.

Mr. TALMA: Mr. Chairman, before you put the First Schedule, I am asking that Clause 40 be re-committed.

Mr. CHAIRMAN: The re-committal has to take place in the House.

Mr. TALMA: In sub-clause (2) of Clause 40, you have left out the word "Bank". If you want to let faulty legislation pass, let it pass.

Hon. D. D. GARNER: If the hon. member would read it, I do not see anything wrong with it.

Mr. CHAIRMAN: That section has already been passed.

The First, Second and Third Schedules were called and passed.

On the motion of Hon. D. D. GARNER, seconded by Hon. M. E. COX, Mr. CHAIRMAN reported the passing of the Bill in Committee with amendments, and Mr. SPEAKER resumed the Chair and reported accordingly.

Hon. D. D. GARNER: Mr. Speaker, I beg to move that Clauses 2, 3 and 40 be re-committed.

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

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

Mr. SPEAKER left the Chair and the House resumed Committee, Mr. BRYAN being in the Chair.

Clause 2 was called.

Hon. D. D. GARNER: Mr. Chairman, in sub-clause (c) I am asking leave to insert immediately after the word "lands;" the words "and in any case where the lands do not exceed twenty-five acres;". Also in sub-clause (g) I am asking to delete the words "in any case where the lands do not exceed twenty-five acres;".

I beg to move that Clause 2 as amended stand part.

Hon. M. E. COX: I beg to second that.
6.55 p.m.

Mr. BARROW: Mr. Chairman, if you are going to amend Clause 2, you might as well make it sensible. There is no point in resorting to the faulty terminology in the interpretation clause. If you take the first Clause which the Minister wants to amend — that is Clause 2 (c) just above (a) in the definition of "owner". This is what the Hon. Minister wants to include: "and, in any case where the land does not exceed twenty-five acres." It does not make sense to include it there. The whole thing would have to be amended. First of all, we do not talk of "lands exceeding" or being "less or more than". My suggestion is that it is not safe to do it in that manner. You say that "owner" means any person who owns any agricultural lands not exceeding twenty-five acres". And then you come to (c) and say "an executor or administrator of a deceased owner if authorised by will or by an order of a court or otherwise by law to mortgage lands and, in any case where the lands do not exceed twenty-five acres;" similarly, when you get down to (g) you are asking to delete the words "in any case where the lands do not exceed twenty-five acres."

What I now understand is that they want to put what they have after (g) under (c), but I will ask the Hon. Minister to consult the Crown Law Officer about it first.

Mr. SPEAKER resumed the Chair.

SUSPENSION OF SITTING

Mr. SPEAKER: It now being 7.00 p.m. o'clock, this Sitting now stands suspended until 7.45 o'clock.
7.00 p.m.

On re-assembling.

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

The Bell was rung and a quorum was obtained.

Mr. SEARLES TO ACT AS CHAIRMAN

Hon. M. E. COX: Mr. Speaker, I beg to move that the hon. junior member of St. James be appointed to act as Chairman of Committees during the temporary absence of the Chairman of Committees.

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

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

HOUSE RESUMES IN COMMITTEE ON BILL

Mr. SPEAKER: When the Sitting was suspended the House was in Committee.

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

Mr. CHAIRMAN: The question is that Clause 2 as amended stand part of the Bill.

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

Clause 3 was called.

Mr. SEARLES left the Chair and Mr. BRYAN took the Chair.

Hon. D. D. GARNER: Sir, under Clause 3, sub-section (2) after the word "enter" in line five, I wish to insert the word "into". That Section will now read:

"The Bank shall be a body corporate with perpetual succession and a common seal and, subject to the provisions of this Act, shall have power to acquire, hold, and dispose of land or any interest therein and other property of whatever kind and to enter into contracts and do all things necessary for the purposes of this Act."

I beg to move that Clause 3 as amended stand part.

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

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

Clause 40 was called.

Hon. D. D. GARNER: Mr. Chairman, in Clause 40 after the word "Loan" in sub-section (2), insert the word "Bank".

I beg to move that Clause 40 as amended stand part.

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

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

On motion of Hon. D. D. GARNER, seconded by Hon. M. E. COX, Mr. CHAIRMAN reported the passing of the Bill with amendments in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.
7.50 p.m.

On motions of Hon. D. D. GARNER, seconded by Hon. M. E. COX in each case, the Bill was read a third time and passed.

COUNCIL'S AMENDMENTS TO DOMESTIC EMPLOYEES (HOURS OF DUTY) BILL

Hon. M. E. COX: Mr. Speaker, before you call the next Order of the Day, I am asking leave to take Order No. 20 as the next Order of the Day. That Order deals with the amendments of the Other Place to the Domestic Employees Bill.

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

Mr. SPEAKER: The next Order of the Day now stands in the name of the Hon. Leader of the House:— To move the first reading of the amendments of the Honourable the Legislative Council to a Bill to provide for the hours of duty of domestic employees.

Hon. M. E. COX: Mr. Speaker, as hon. members will see, the Other Place have amended this Bill to the effect of removing a part of the penalty which was imposed on any employer who fails to comply with any of the provisions of the Act. In the first place, in Section 2, the Other Place have included what can be regarded as the spread-over period. In the interpretation Clause they have put in the interpretation of "day time". They have inserted the following:—

" 'day-time' means the hours between six o'clock in the morning and eight o'clock in the evening of the said day."

That was not included in the Bill when it left this House. Then they have defined "night" as follows:—

" 'night' means the hours between eight o'clock in the evening of any one day and six o'clock in the morning of the next succeeding day."

The next amendment is in Clause 5 where the penalty imposed on any employer for contravening any of the provisions of the Act has been reduced. The penalty as we

passed it was a fine up to \$100 or to imprisonment for a term not exceeding three months. That has been amended and there is a fine of \$25 without the alternative of sending the offending employer to prison.

Then there is an additional section numbered 6. In Section 5 as we passed it, we did not set out any particular period within which a prosecution could be brought against an employer for contravening any of the provisions of the Act. Under the Magistrates' Jurisdiction and Procedure Act, provision is made for a time limit of six months but it has been suggested that that period was a fairly long one and therefore this amendment stipulates that a prosecution cannot be brought after the expiration of three months from the time when any offence was committed. Hon. members will also see that as far as domestic employees who sleep in are concerned — this does not mean those who sleep in for convenience. This means the accommodation of employees on premises; that still holds good. But where an individual sleeps in with a view of being called upon to perform duties, that has been altered to provide that both parties should reach agreement and not regard those hours as overtime, because the whole period would have to be taken as overtime. It was not intended that that should be so.

Mr. Speaker, I must confess that I have seen quite a number of reports in the Press concerning this Bill, reports to the effect that this Bill is unworkable and it means nothing to these workers because no minimum rate of pay has been fixed. I would like to repeat what I said when this Bill was under consideration. It was decided that no minimum rate should be included in this Bill for obvious reasons. No minimum pay was put in because, in that case, it would be very difficult indeed to fix a minimum to suit persons of very slender incomes who would find it almost impossible to have somebody to assist them in their homes. Therefore, we left that matter to the parties concerned; we left it to them to negotiate these terms. As I said when I was introducing this Bill it was not revolutionary. A similar Bill exists in St. Vincent. In St. Vincent there is provision in the law to regulate the hours for domestic employees. While I am not in a position to say how well or otherwise it works, nevertheless.....
8.00 p.m.

Mr. SPEAKER: May I point out to the hon. member that we have passed the principle of the Bill, and the Other Place has passed the Bill with amendments; but I rather think the hon. member is making an introductory second reading speech. It certainly has that flavour, and I do not think the hon. member can be said to be speaking on the amendments at present before the House.

Hon. M. E. COX: I thought I was in order because these amendments are being read now for the first time. Perhaps I went a bit too far in referring to St. Vincent having the law on their Statute Book, but I was more or less referring particularly to the amendments when I talked about sleeping in.

Mr. SPEAKER: The reason for the Bill and the comments about what the Press says about the unworkableness of it does not concern us.

Hon. M. E. COX: I thought it appropriate to sound a warning at this stage that we are compromising on this Bill in order to get something on the Statute Book to protect these people; but if we find that it does not work satisfactorily, then we would not have to come to the House to amend this Bill; all we need do is to set up a Wages Council to deal with these particular people. All we need do is to set up a Wages Council to fix a minimum wage for these people if we find that any advantage whatsoever is being taken of them. I have read how they will spread over these hours, and if they were working twenty hours all you need do is to adjust the hours to suit that. It will not be done that way, and indeed I go further and say that, after all, these people are human beings, and they need not accept the conditions which some of these people want to offer. The Government will not hesitate if needs be to set up a Wages Council if this does not work satisfactorily.

I beg to move that these amendments be now read a first time.

Hon. L. StA. THORNE: I beg to second that.

The question 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. L. StA. THORNE: I beg to second that.

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

Hon. M. E. COX: I beg to move that the amendments be now agreed to.

Hon. F. E. MILLER: I beg to second that.

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

THE INCOME TAX (AMENDMENT) ACT, 1961

Mr. SPEAKER: Order No. 4 stands in the name of the Hon. Premier; to move the second reading of a Bill to amend the Income Tax Act, 1921.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this Order is a very short amendment to the Income Tax Act. It has to do with allowances on industrial buildings, their structure and also machinery. It will be remembered that in my Budget Speech of 1959 the Government promised to provide for an annual allowance of 2% of the capital expenditure incurred on the construction, alteration or purchase of an industrial building or structure.

The Bill also seeks to make provision for an investment allowance on machinery or plant used for the purposes of a trade or concern in a basic industry. In the case of an investment allowance on machinery and plant, the allowance will be one-half of the amount of the initial allowance that could have been granted in respect of such machinery or plant and will be in lieu thereof. It further says that no investment allowance would be granted in respect of expenditure on second hand machinery or plant, except where it was being imported into the island for the first time.

The Objects and Reasons go on to say that Clauses two, four and five of the Bill seek to give effect to the foregoing proposals. Clause three of the Bill, by paragraph (b) thereof, seeks to correct a minor typographical error in the Income Tax (Amendment) Act, 1959, No. 30, whilst by paragraphs (a) and (c) thereof, it is sought to improve the administrative arrangements relative to the payment of tax free dividends by companies enjoying pioneer status.

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

Hon. L. StA. THORNE: I beg to second that.

Mr. TALMA: Before you put the question, Mr. Speaker, while agreeing with the general principle of this Bill which seeks to grant certain capital allowances in the nature of an annual allowance and an investment allowance, I am not quite clear on one or two points which the Premier explained. I would like to know, if the assessment for the year is less than the amount of the allowance claimed, whether the balance or the whole, if there is no assessment, may be carried forward indefinitely and set against the first available assessment of the profits of the same business in succeeding years. That is not stated here, and although the Bill does seek to give some measure of relief, yet in truth and in fact unless that power to be carried forward is inserted in the Bill, it will not give the relief which is sought.

While we are on that and while appreciating the assistance and inducement which are given for investors in investing capital, I want to know if the Premier and his

Cabinet has considered the granting of other reliefs to individuals, and I refer to earned income relief.
8.10 p.m.

In many countries of the world and in the United Kingdom particularly, earned income relief is granted to individuals.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I rise on a point of order. This Bill sets out quite definitely to what this amendment applies and the question of earned income does not come into it. Earned income relief is separate and distinct in itself, and if the hon. member wanted to raise it, he might have raised it in March when we were considering the rates of income tax. So, Sir, I do not think the question of earned relief should be allowed to come into this question which really is a question of allowances on buildings.

Mr. SPEAKER: I would say that the hon. member is asking the Premier a question. The hon. member need not answer it.

Mr. TALMA: Mr. Speaker, I was merely saying that on the question of income tax, I wanted to know if Government was giving consideration to other amendments under the Act and then I went on to quote, for example, that earned income relief is granted in all enlightened countries in which income tax is collected, especially in the United Kingdom. In the United Kingdom, earned income relief is granted on two-ninths of the net earned income up to £4,005 and thereafter on one-ninth up to £9,945. That is actually the earned income relief as distinct from people who have investments. Certainly, if allowances and relief are being given to capital investments and to corporations, I think the time has come when consideration should be given to other personal reliefs in the nature of earned income relief. If you are going to have your Income Tax Act into line with that which obtains in enlightened countries.

In so far as earned income relief is concerned, that includes the net annual value of the house in which the employee lives rent free, pensions, family allowances but not profits of a sleeping partner. There is another allowance granted the individual in the United Kingdom in the nature of additional personal relief. Such relief is available to married couples who are living together. I refer to additional personal relief which is seven-ninths of earned income of wife living with husband. The maximum relief in this case is £140.

Mr. SPEAKER: I think the hon. member is now straying a bit. The amendment which we are now considering deals with private allowances: so I will not allow the hon. member to make what he was just saying the brunt of his speech. As it is, you are actually quoting something from a book and it certainly has nothing to do with the Bill which we are dealing with at the moment.

Mr. TALMA: Sir, while agreeing with the actual principle of this Bill, I want to know if the question of initial allowances, in other words, the actual initial amount invested and the annual wear and tear allowances and balancing charges will be considered in this Bill because unless the Bill makes provision for all of these things, what is set out here will not be carried out to the satisfaction of the ones whom we want to help. I would like the Hon. Premier to answer the question as regards the carrying forward of these allowances.

Hon. Dr. H. G. H. CUMMINS: Sir, I do not quite understand what the hon. member is referring to about the question of carrying forward.

Mr. TALMA: Mr. Speaker, I took the trouble to bring these books so as not to rely on memory. There are various allowances in respect of depreciation of capital assets which may be claimed by a trader and operate in reduction of his assessment for the year to which they relate. If the assessment for the year is less than the amount of the allowances claimed, the balance - or the whole, if there is no assessment - may be carried forward indefinitely and set out against his first available assessment of the profits of the same business in succeeding years. I want to know if this assessment is granted and will be carried forward.

Hon. Dr. H. G. H. CUMMINS: There is no reference here to carrying forward.

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

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

Clauses 1, 2 and 3 were called separately and passed.

8.20 p.m.

Clauses 4 and 5 were called and passed.

The Schedule was called and passed.

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

Mr. SPEAKER resumed the Chair and reported accordingly.

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

CHIEF SECRETARY (ALLOCATION OF FUNCTIONS) 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 repeal the Chief Secretary's Office Act, 1903, and to make provision for the allocation of the functions of the Chief Secretary and for other matters incidental thereto.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this is the first of the Orders on the Order Paper dealing with the Constitution. I am asking leave, as I go along, that the numbers of these Orders be re-arranged. There is a sequence in these Bills in which one should follow after the other, but they are not arranged in that order on the Order Paper. I am therefore asking that No. 6 be taken as the next Order of the day.

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

EXECUTIVE COMMITTEE (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 Executive Committee Act, 1891.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I think that hon. members will remember that soon after my return from England and in October, 1959, His Excellency the Governor sent down a Message to this House with regard to certain constitutional changes. Those are the changes which I have discussed in England; and this House, on the 8th December, 1959, answered His Excellency the Governor to the effect that they had accepted the proposals for constitutional advance mentioned in the Despatch and that they would favourably consider legislation to give effect to these proposals. These Bills on the Order Paper are really to give legislative effect to those constitutional changes. The first Bill is the one which we are now considering, an amendment to the Executive Committee Act, 1891. I suppose that we are all acquainted with the fact that the Barbados Constitution is provided for in a number of enactments and other constitutional documents. According to arrangement, the nominated members of the Executive Committee shall cease to be, as they are at present, members of the Executive Committee. That is also effected by an amendment to the Executive Committee Act relating to the composition of the Executive Committee. In place of a Committee comprising the Governor, the members of the Ex-

Executive Council, no less than one member of the Legislative Council and no less than four members of the House of Assembly shall form, together with the Governor and the Attorney General, the Executive Committee. In other words, the members from the Executive Council will no longer, except one, be part of the Executive Committee. The members of the Executive Committee drawn from the Legislative Council and the House of Assembly will be determined in accordance with the conventions governing the selection of the Premier and other Ministers of the Government.

The arrangement that legislative provision should be made to enable the business of the Governor-in-Executive Committee to be carried out where convenient without a formal meeting of the full Executive Committee is included in this Bill. In short, by this amendment, what is known as the Cabinet will have the power to meet without the Governor being present. Provision is also made that all the members of the Executive Committee will be kept in touch with the affairs of Government and they will be provided with all documents and information necessary for the transaction of business. These documents will be circulated to all members of the Committee whether or not they are present; that is the Governor, and the Attorney General need not be present to carry on the business of the Executive Committee, but they will be served with all the documents and all business relating to the work of the Cabinet.
8.30 p.m.

The Attorney General will only attend meetings of the Cabinet when he is so required to do. This will still be the principal executive authority of the Island, and the Clerk of the Executive Committee and the Cabinet shall be subject to oaths or affirmations of secrecy. Accordingly the Bill by clause three seeks to make provision to that end and also provides for the appointment of a Clerk.

There are certain minor amendments which have been made to the principal Act in order to clarify some of the provisions of that Act. Clauses seven, eight and nine seek to make it clear that the references to the word "year" in the sections which they amend are references to the "financial year", whilst clause eleven seeks to clarify the peculiar wording of section ten of the principal Act. So too in order to comply with the provisions contained in clauses XV of the Barbados Letters Patent 1914, clauses fifteen and seventeen require that warrants for the payment of money shall be made under the hand of the Governor or of a person authorised by him in writing.

As it is felt that the present requirement contained in the principal Act for all leases of public properties to be subject to the approval of the Legislature imposes an unnecessary restriction on the administration and wastes the time of the Legislature, clause thirteen seeks to provide that only those leases which are for periods exceeding ten years shall require such approval. And further as the imposition of stamp duties on conveyances, leases, contracts or other documents executed on behalf of Government is to no effect as the duties are paid out of Government funds, clause fourteen seeks to exempt the Executive Committee from the payment of such duties.

The opportunity has also been taken to widen the classes of deceased public officers in respect of whom the Executive Committee may authorise to be paid to their dependants before probate is granted the sums due to such officers in respect of salary, allowances or pension.

With regard to this section about deceased public officers, I should explain that for up to £10 the Government has authority to pay, but that is now considered too small and the amount has now been advanced to \$300.

Those, Sir, are the principal points of the Bill and I beg to move that this Bill be now read a second time.

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

Mr. WALCOTT: Mr. Speaker, these things have been agreed upon and some of them are new; therefore some reasoning must be given to them. For example, the Premier

ran over the Objects and Reasons as they are written. The Objects and Reasons state that as it is felt that the present requirement contained in the principal Act for all leases of public properties to be subject to the approval of the Legislature imposes an unnecessary restriction on the administration and wastes the time of the Legislature, clause thirteen seeks to provide that only those leases which are for periods exceeding ten years shall require such approval. Now this is an arbitrary method. Why is it that the length of the lease should be the determining factor and not what is to be leased? You may come to lease something that is worth a valuable amount of money for only two or three years, but the Legislature might agree it should not be leased at all. I do not think that there should be this infringement on the sovereignty of the Legislature.

Mr. Speaker, the members of the Cabinet are part of the Legislature and not the whole Legislature. If the administration is getting too lazy to do its work, it should let us know, and not tell us that it is a strain on the Legislature. I do not want to be unkind and hard to people, but who in fixing these things can say that there is any strain on the Legislature? We have a Crown Solicitor now; some years ago we did not have one, we had a Queen's Solicitor. We have a permanent man doing the work. If you are leasing land from the Government and leases are so prevalent, let us know the number of leases that we executed in the last three years, and at what rate per month, per day or per week we carried out these leases. Then we can see what is the strain on the Legislature. I have been in this House for sixteen years and I can count the number of leases that came through this Legislature on my hands. When is the last time that we had a lease?

It is stated here that it is felt that the present requirement contained in the principal Act for all leases of public property to be subject to the approval of the Legislature imposes an unnecessary restriction on the administration. Why is that the administration does not want to be restricted by the Legislature in the leasing of property which is supposed to be vested in the people of this country? These administrators are getting a little bit too cocky. Soon and very soon they will feel they are more important than the Legislature. Too many of them have the idea that coming to the Legislature is a waste of time. They want to have a lot of authority. In the process of time they will want to spend money and we would have no right to say how it should be spent. That is the part on which I should like some more explanation from the Premier, because I do not like giving up our fundamental rights in the Legislature too willingly even to the Cabinet. The reason for my saying that is because the Cabinet has now reached the stage where it says they are not going to meet on every occasion but will send around some of the papers. When the hon. senior member for Christ Church was Minister of Agriculture, land was sold in St. Philip and nobody knew anything about it. The Cabinet did not know about the land that was sold until after it was sold, and then they came with excuses to this House and said there was an error. An exchange of documents had to be made for the land in St. Philip, but members did not know about it. You can get these Departmental arrangements where the Minister is asked to sign his name on the way out of his office, and the next thing you know.....
8.40 p.m.

Hon. D. D. GARNER: I was not in my place. I was outside and I heard the hon. member speak about the Minister of Agriculture, Lands and Fisheries. I wish that he would put the records straight and say which Minister it was.

Mr. WALCOTT: The Hon. Minister was not in his place, as he has said; therefore he was not part of the debate. It is not the present Minister of Agriculture because if it were the present Minister of Agriculture and this exchange was made as it was, I would get very funny about it.

I feel that the Hon. Premier would have to give us some explanation about this inconvenience. I do not see the reason why you should say that only those leases which are for ten years or more should come to the Legislature. As a matter of fact, I do not think the length of years of a lease

must be the criterion to determine if the Legislature must approve of the lease. The idea of the Legislature being given the opportunity of approving a lease should not be governed by the duration of the lease. I do not think because Government property is vested in the Executive Committee or in the Cabinet, let us say it is the Public Buildings, that we should hear afterwards that the Government decides to lease this building out and put us somewhere else and for them to tell us that it is only for three years. Of course I have quoted an extreme case. What is the authority for vesting in this Act that you can lease land out under these conditions? I think that this Honourable House will require more information about this aspect of the Bill.

This is another aspect of this measure. All Cabinets have Clerks and I think that is the policy of all Governments; but this Government I think follows too slavishly what is done in the United Kingdom and elsewhere. For the life of me, I cannot see why we should have a Cabinet Secretary of the position of a Permanent Secretary. I would like the Hon. Premier to tell me what are the increased duties of the Cabinet today as compared with the duties when the Executive Committee used to handle those matters so that you will need a Permanent Secretary to be Clerk of the Cabinet. I do not tell you to go and pick up any boy who has entered the Service yesterday and make him Clerk to the Cabinet. But why should you go and take a sledge hammer to crack a nut? Why should you take a top man to do the work of Clerk to the Cabinet? It seems to be a waste of money. It is no use your asking a messenger to give you full productivity and then you pay a man a top salary just to assort newspapers - because that is the fundamental job of the Clerk to the Cabinet. He is responsible for the collection of papers from the various Ministries. Do not tell me that this is the same job as the man who is responsible for advising you on matters. Mr. Cozier and Mr. King did that job efficiently when they were young men in the Service, and I may say that when Mr. Walcott who was a principal clerk did it there was no comparison. The only difference is that the young men today may have done a better job. They have the same counterparts in the Service today. Do not tell me because it is done in England that it should be done here. You send down similar Bills to what you sent down previously. You do not write any different English. The quality of the work is not going to change because you call a man a Minister today. The Executive Committee was comprised of the same men you have today. As a matter of fact, a man can be an ordinary member of this Cabinet today and tomorrow he can become a Minister. Because that is so, are you turning him into a different man when he becomes a Minister? If he was an idiot before, he would be the same idiot, and if he was a wise man before, he would be a wise man afterwards. I cannot for the life of me see that there is any justification for a Cabinet Secretary being of the rank of a Permanent Secretary more than that you are following the other people. You are saying that the content of the job requires the calibre of a man who has reached the top of the service and unless that man has reached the top of the service, he cannot do the job. You have a man doing the same sort of work as Clerk to the Public Service Commission and he is not of the status of a Permanent Secretary. Both the Clerk to the Public Service Commission and the Clerk to the Cabinet have confidential jobs to do.

I do not know why this post should be given that status unless they have given the Clerk to the Cabinet additional duties to what the Clerk of the Executive Committee used to perform. The Clerk to the Executive Committee did not enter into discussions. You do not ask the Clerk to the Cabinet to advise you as to how something should be done. He is not advising anybody as to policy. The Permanent Secretaries of the various Ministries have to be advising the Ministers. You cannot claim that the Cabinet Secretary is advising all the Ministers on policy. In this dispensation when you have all these Permanent Secretaries - six of them - what do you need a man like that to be Cabinet Secretary to do? Why should you waste your money like that? I think it is time that we have a proper evaluation of jobs. Even if it is done in England, in Jamaica and in Trinidad, I do not see any reason why it should be done here. This is the smallest Ministerial Government in the Caribbean apart from the Governments in the smaller is-

lands. For its size and population, it has a big Ministry. It has a budget of \$21 million and we have *per capita* a Ministerial Bench higher than the one in Great Britain. Of course, Great Britain needs more than one Cabinet Secretary because as we know, the Mother of Parliaments, holds meetings day after day. It is the Sovereign Government and that Government has grown up over the years.

Sir, I cannot see the justification for these two things which I have just pointed out and I would be very glad if the Hon. Premier would tell us what are the justifications (1) that the Clerk of the Cabinet must of necessity be equal to a Permanent Secretary so that the Cabinet should function efficiently, and (2) why is it that the basis for arriving at the leases of Government property should be on the basis that the lease should be ten years so that the matter should come to the Legislature. Do you not think that what you are going to lease out is more important than the length of the lease? I say that because it may be an extremely good bit of valuable property and that is what the Legislature would like to know something about. Whether you lease it for a day, a month or ten years, we feel we should know about it before the lease is finalised.
8.50 p.m.

Mr. TALMA: Mr. Speaker, before the Premier replies, I would like to support the remarks of the hon. member who has just sat down in relation to the granting of leases to Government land by the Executive Committee. I feel that it is the subject-matter of the lease which is important, and the area of the land and the value of the property to be leased are the most important factors, and not the actual term of years. It is correct to say that a lease for a short term can be done orally or not under seal. It may be that the draftsman had something in mind. It would seem *prima facie* that the object of this proposal is to take the power out of the hands of the Legislature and vest it in the Executive Committee. A lease under ten years does not need the sanction of the Legislature as heretofore, but a lease for over ten years will be brought here.

That is what is proposed in this amendment. In other words, this amendment is a means whereby more power will be placed in the hands of the Executive Committee. Very few leases are granted for terms longer than five years with the option of renewal for another five years, and it goes on *ad infinitum*, if you have successful options for renewal. In other words, such leases need not come here at all; Government leases can be made without the consent of the Legislature. If the Government want to ignore the Legislature and make a lease for five years with the option to renew it for another five years and have as many leases or options as are required by the leases, well, that seems to be the case. If that is a way of having a mock Legislature as regards the purchase of land, if you are trying to reduce the Legislature to a farce, well, say so. You only hear of leases for 999 years in England today; but a lease which obtains in these parts is only for five, or seven years. You will seldom find a lease for ten years. If it is a lease of Government land, then, we need not come here at all.

In order to make capital of his point, the hon. senior member for St. Peter referred to a lease of land which took place during my tenure of office. Anything could have happened then; it was all done behind my back; I was wrong and I apologise for that, but I had no benefit to receive from the exchange of land in St. Philip. It was a question of trying to ignore a Labour Minister. There was no scheme; it was no benefit to me. It was kept away from my desk and worked upon between the Crown Solicitor, the Director of Agriculture and the people concerned. I was as innocent in the matter as the hon. member who referred to it.

Mr. WALCOTT: On a point of order, Mr. Speaker, I do not want the hon. member to think that the statement I made was any suggestion against his character or any impropriety; my statement was a reference to show what can take place as individual incidents take place. It was done without the approval of a Minister and by this means anything can happen.

Hon. M. E. COX: On a point of order, May I try to clarify the point made by the hon. member? I do not think it is fair to the officials to say that this thing was done behind our back.

Mr. SPEAKER: The hon. senior member for Christ Church spoke particularly of a matter in which he was thought to be involved.

Hon. M. E. COX: I am dealing specifically with the exchange of land at Six Roads; I am saying that it is not fair or correct to say that the Conservative officials did it behind our backs.

Mr. TALMA: The hon. member is not in a position to say what happened in my Ministry. I say that it was done behind my back; I knew nothing about it. It was a question of land on one side of the road being exchanged for another spot of land.

Hon. M. E. COX: In these days any old thing can happen.

Mr. SPEAKER: I am asking the Hon. Minister to apologise here and now for making the statement that in these days any old thing can happen.

Hon. M. E. COX: All right, Sir, I apologise. I know something about it. This matter was thoroughly discussed in Executive Committee with all the Ministers before any agreement was reached.

Mr. TALMA: On a point of order, I was out of the island when the matter was discussed.

Hon. M. E. COX: It is not fair to say that these officials were Conservatives, that they undermined the Government and that sort of thing. That is not true. I repeat that this matter was discussed in Executive Committee and decided upon; but there was an error somewhere in the Ministry after it had been agreed to by the Executive Committee, 9.00 p.m.

After it was agreed by Executive Committee, there was a slip-up in the Ministry and it was not brought and put before the House; but it is not true and I categorically deny that any Civil Servant whether high or low in status was opposed to this Government because it was a black Government, and therefore decided to undermine the authority and do these things behind our backs. I can say for myself that as far as the ones who work for me are concerned, and I believe that can be said throughout.....

Mr. SPEAKER: The hon. member's Ministry is not before us. The Ministry of Trade, Industry and Labour as a Ministry is not before us at all.

Hon. M. E. COX: I am trying to defend a defenceless people.

Mr. SPEAKER: The hon. member does not have to try to defend these people. The hon. member has not made any reference to the Ministry of Trade, Industry and Labour.

Hon. M. E. COX: When he refers to the Ministry, he means the whole Government and not any particular Ministry, because it is a collective Government.

Mr. SPEAKER: I say now again that the hon. senior member for Christ Church who formerly was Minister of Agriculture spoke of a specific incident which related to his Ministry alone.

Hon. M. E. COX: Mr. Speaker, it could not have reached this House of Assembly unless and until it had been agreed to by Executive Committee for which we all have collective responsibility; and I again repeat that it is not true, neither is it fair and honest to those Civil Servants to make it appear as though they were undermining the authority because it was a black Government. That matter was discussed and agreed on in Executive Committee, but there was a slip-up in the Ministry concerned so that it did not come before this House.

Mr. TALMA: I do not care to prolong this nor am I trying to find any scape goat. I am speaking the truth. The position is that the sale of this land was closed before the consent and approval of the Legislature was secured, and I am saying now that the matter was closed unknown to me and brought for approval after the sale had taken place. I am not a Queen's Solicitor nor the Director of Agriculture, and I never saw the conveyance.

Hon. M. E. COX: On a point of order, it was not a sale; it was an exchange of land. The Government had land on both sides - I think Foursquare was involved - and the Government took in part of Foursquare which adjoined the Government land and gave part of the other land.

Mr. SPEAKER: Can we pass on now?

Mr. TALMA: Everybody knows it was an exchange, but it is a question of the exchange being completed and whatever compensation was paid unknown to me. I did not know when the completion took place, and that was done before the approval of the Legislature was sought. You are getting on as though you have something against me.

Mr. SPEAKER: Do not let us make that the principal point of this Bill.

Mr. TALMA: The hon. member is getting on as if I am involved in some exchange of land.

Hon. M. E. COX: On a point of order, I never said that, neither could what I say give that impression. All I said was that there was a slip-up in the Ministry. (Mr. WALCOTT: What is a slip-up? Did you exchange a pair of bone dice for a pair of diamonds?)

Mr. TALMA: Mr. Speaker, in view of what has just been explained about this exchange of land, how much the more should the Legislature be vigilant in the granting of leases and the sale of land generally in the proposed amendment to the Executive Committee Act which normally demands or necessitates that in case of any sale or exchange, the approval of the Legislature should be sought before the completion of the sale or exchange.

Hon. M. E. COX: On a point of explanation, under the Executive Committee Act, 1951, (1951-27) you will see that Section 2 reads as follows:-

"Section twelve of the Executive Committee Act, 1891 as contained in the Executive Committee (Amendment) Act, 1950 is hereby repealed and the following section substituted therefor:-

The Executive Committee may, with the approval of the Legislature, lease, sell or exchange any lands which they may possess."

(Mr. WALCOTT: You believe you are very bright.)

Mr. TALMA: Mr. Speaker, I have said the same thing. With the present state of the Executive Committee Act and with the necessary amendments up to now, in order for the Executive Committee to sell or lease land, they must receive the approval of both Houses of the Legislature; but with this proposed amendment, in the case of a lease of land vested in them for a fixed term not exceeding ten years they can dispose of it without the approval, consent or knowledge of the Legislature. We are saying that in the case of a normal lease which, as everyone will know will be for five or seven years, in future they will not have to come here for approval. They will grant a lease for five years with an option of renewing it for successive periods of five years unknown to the Legislature.

Of course, Mr. Speaker, I do not agree with that amendment; but there is another point I would like to make: if the Bill had said a term of one year, well then, you could understand it may be for some convenience; but to vest such powers in the Executive Committee for leases not exceeding ten years or periods under ten years is something with which I do not agree.

Now, Sir, in the case of the proposal where the estate is \$300 or less if there be no letters of administration, the Hon. Premier read from the Objects and Reasons as follows:-

"The opportunity has also been taken to widen the classes of deceased public officers in respect of whom the Executive Committee may authorise to be paid to their dependents before probate is granted the sums due to such officers in respect of salary, allowances or pension." 9.10 p.m.

Now, Sir, I appreciate this change because it does work a hardship on very poor dependants where the estate is \$200 or \$300 or thereabouts, and more especially when the deceased was an employee of the Public Works Department or a casual worker of the Highways and Transport Department who died after serving fifteen years and left his dependants to receive the gratuity and that gratuity is around \$1,000. It is very hard for the average dependant to seek Letters of Administration. It is known that the majority of these people die intestate and for their dependants to seek Letters of Administration, it may cost them about \$120. Therefore, I am suggesting to the Hon. Premier, although he is helping by substituting \$300 for £10 that he should go a little further and amend the \$300 to \$1,000 or \$1,200. He would be really helping this group of poor people who experience a great amount of difficulty in securing a gratuity on the death of their beloved husbands or whatever it might have been. I am therefore asking that he substitute \$1,200 for \$300 because it is a very expensive business today in securing Letters of Administration. Although \$300 would be helpful, it does not go far enough.

Sir, I am not going into the other parts of the Bill because this Bill is only carrying through by legislation many of the things which now obtain by convention.

Mr. STRAUGHN: Sir, if the Hon. Premier is replying relative to the question of the time of the Legislature being spent on these leases would give us an idea if more than 50% of the leases which Government enters into is less than for ten years it would be very helpful. We think it is commendable in using time to advantage, and we do not like to waste time; probably we may be saving much time if the great number of your leases were of not more than ten years duration.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, the hon. senior member for St. Peter attacked the proposals of having a Cabinet Secretary of the calibre of a Permanent Secretary. Of course in his day there were no Permanent Secretaries; but he knows, because he had the experience, that we have always had a senior official as Secretary to the Executive Committee. With the abolishing of the office of Chief Secretary, there is more work, and in consequence of that, you will get going to the Premier's office certain matters which were performed by the Chief Secretary. That is additional work and additional responsibility. With that additional work and additional responsibility we must have a senior official to take care of such things. The hon. member through his experience knows that.

As regards the question of leases, as you have heard just now, the Executive Committee has certain powers as regards the leases.

Mr. BARROW: Sir, I rise on a point of order. We heard read just now that the Governor-in-Executive Committee has certain powers. The point made by the hon. senior member for St. Peter was that, as the law now stands, any lease is subject to the approval of the Legislature. When the hon. senior member for St. Michael read it out, I noticed that he dropped his voice and I think Your Honour also noticed it. It was pointed out by the late junior member for the City, Mr. A. E. S. Lewis, on an occasion in this House that they were exercising powers which were *ultra vires* to the Executive Committee, just like what they did with the road down by Bath. The hon. senior member for St. Michael dropped his voice. Section 21 of the Act says that the Executive Committee "may with the approval of the Legislature". When the hon. member got to those

words, he dropped his voice and sat down. That is what I observed and I think Your Honour also observed it.

Mr. SPEAKER: Is the hon. member asking a question?

Mr. BARROW: Yes, Sir. The question which I am asking you is this. The Hon. Premier said that the powers of the Executive Committee were read out; so he is referring to this Act. That certainly was not read.

Hon. Dr. H. G. H. CUMMINS: Well, I thought that the hon. senior member for St. Michael had read the sentence.

What I am saying is this. Instead of having to come to the Legislature - as we did a few months ago when we had a lease which came before us - all that we are saying is that instead of having every now and then to come for a lease for a period of three years, we would save the Government the trouble of referring that to the Legislature and we are saying that only a long lease of ten years or more should come to the Legislature from the Executive Committee.

The hon. senior member for Christ Church said just now with regard to the £10 for Letters of Administration that he had approved of the extension of it to \$300 but he thought that it should go further than that. I think he should remember that he was the man who has suggested this \$300 extension.

Mr. BARROW: Sir, let me explain how I understand this question. When the hon. senior member for Christ Church was getting up even then the Hon. Premier was anxious to get up to explain something. When the hon. senior member for Christ Church had finished speaking, I am sure that the Hon. Minister of Finance was desirous of getting up to explain some point which the hon. senior member for St. Peter made. 9.20 p.m.

I am sure that Your Honour will grant him the indulgence of replying again to any new points which might arise.

Mr. SPEAKER: I had the impression that the Premier had replied. The hon. junior member for St. John is asking the permission of this House to speak and the Hon. Premier will have the permission to reply again. Unless there be any objection, leave will be granted the hon. member to speak. (After a pause). There being no objection, leave is granted the hon. member.

Mr. BARROW: Mr. Speaker, there are one or two short points which I would like to make about this Bill. The first one is in support of the remarks of the hon. senior member for Christ Church who referred to Section 9 of the Act. The amount in that Section which can be paid out without Letters of Administration or the grant of Probate being obtained is \$120 and now the Premier wants to substitute therefor the words "three hundred dollars". I do not see that the amendment to the marginal note is to be included in the Statute itself. We do not pass marginal notes in this House; marginal notes are inserted by the Printer or proof reader for guidance, but they never form part of the law. If a substantive amendment takes place to a section, the Government Printer, let us say, will amend such marginal notes as he thinks fit in order to guide readers of the particular statute who are searching for particular provisions. This is the first time in my tenure of office in this House, and it spreads over nine years, that I have seen an official amendment to a marginal note. I would not like to see the principle encouraged, that we amend marginal notes.

Hon. Dr. H. G. H. CUMMINS: On a point of order. To what marginal note is the hon. member referring?

Mr. BARROW: If you look at Section 10 you will see an amendment by deleting the symbol and figures in the marginal note. I have merely said that it is a principle which we would not like encouraged. When we amend a marginal note we intend to give it the force of law, and it was never intended to give a marginal note the force of law.

As the hon. senior member for Christ Church has said, the average cost of Letters of Administration to a modest estate may be anything between \$75 and \$120. It is my experience of Public Works employees who have done over 15 or 20 years' service, that very often the gratuity is in the vicinity of \$850 or \$900. The very latest example is that of a constituent of Your Honour who worked in the Highways and Transport Department and had a small gratuity given to him of some \$700 or \$800. The Undertaker's bill was \$200 or \$300, he was anxious to get his money and he had to get legal advice in taking out Letters of Administration; the result was that the expenses of the Administration coupled with the undertaker's bill swallowed up a considerable portion of the gratuity which the widow was supposed to collect. The hon. senior member for St. Joseph and the hon. senior member for St. Michael can vouch that "turnouts", to use a common Barbadian expression, are items which can be fairly expensive. If anybody can get a burial for under \$200, that is considered to be a cheap funeral. If you are only granting an exemption up to \$500, this is an undertaker's amendment; this is not to cover anybody else. I do not know if this is a Bill specifically introduced for the benefit of the hon. senior member for St. Joseph or for the benefit of the hon. senior member for St. Michael. I say that jocularly. This provision allows an undertaker to collect his money from the Treasury, but it does not allow widows to be able to carry on until employment is found for the older children and matters of that kind. I feel that the figure of \$1,200 is a more realistic figure. The Government does not become interested in this matter until the amount of the estate is \$5,000. Ways and means have been found but I suggest that the sum of \$4,800 may be a good sum to put in here. Until the aggregate of the estate amounts to \$5,000 the Government is not interested. There are no Death duties paid on an estate under \$5,000. We give the Executive Committee power to relieve an estate under \$4,800. With the kind of gratuity which is paid out to people in the Key Scale, those who are least likely to have property, the amount of \$1,200 would be adequate for the moment until things are changed for the better for these admittedly under-paid employees, according to the statement made by the Hon. Minister of Trade.

9.30 p.m.

Now, Sir, we come to this much provoked question of leases. I must join with the hon. senior member for St. Peter, your colleague, in insisting that the sovereignty of Parliament be maintained in any matter dealing with the expenditure and or the disposal of public funds and property. It is set out in the Letters Patent and the Royal Instructions that public funds may be expended only with the approval and sanction of the Legislature and not otherwise. The words "and not otherwise" are the last three words occurring in that article of the Letters Patent which are the keystone of the Constitution of this Island. The Executive Committee Act cannot alter that, because that could only be altered by the Queen-in-Council.

Mr. Speaker, we are not altering the constitution to make it possible for the Executive Committee to dispose of or give away or spend public money except with the approval of the Legislature. How is it that we can therefore by this amendment give to the Executive Committee power to exchange, sell, lease or give away public land? We have just bought an estate down in St. Andrew called Sedgepond for \$120,000; you could not take five cents out of the Treasury unless you came to the Legislature, and the amendment which the Premier now wants us to agree to gives them the power to exchange or give away Sedgepond Plantation for half acre of land in Hothersal Turning without coming to the Legislature and getting approval, and we would have the Minister of Trade, Industry and Labour talking about slip-ups in some Ministry. We know that there was some slip-up in here over the Admiralty Pasture in St. Philip; we know that land was exchanged at the rate of two acres for one acre; that cannot be denied.

Hon. M. E. COX: On a point of order, all I meant was that there was an oversight. If members interpret it otherwise, I am not responsible. I intend at a later stage to draw it to the attention of the House.

Mr. BARROW: The law was that the Executive Committee by the Act of 1951, Chapter 39 as far as I can remember.....

Hon. M. E. COX: On a further point of order, I think that somewhere there is a Rule which states that you cannot adversely comment on anything which the Legislature has passed unless you are prepared to make a substantive motion. Despite the fact that it was done at a late hour by the Legislature, it was done anyhow. A Resolution came to this House and the House approved of the transfer or exchange of the land, so that is the law of the land today. Unless the hon. member makes a substantive motion, I humbly submit to Your Honour that it is out of order to adversely comment on what the Legislature has decided.

Mr. SPEAKER: I am not prepared to say that it is an adverse comment, but surely any hon. member may refer to what has happened without referring to it adversely. I do not know that any adverse reference has been made.

Mr. BARROW: If Your Honour would correct the hon. member, if we in this Session of the House pass a Resolution or a Statute we could not reflect on it, but the House we are talking about has been dead twice over. This was not passed in this Session since 1956.

Hon. M. E. COX: On a point of order, what the hon. member said just now is misleading. It does not apply to any Session. It says no law, no Act or anything done by the House. I am going to get the Rules.

Mr. SPEAKER: That is not before the House.

Hon. M. E. COX: What, Sir?

Mr. SPEAKER: What the hon. member is saying. I am the sole interpreter of the Rules.

Mr. BARROW: The hon. member cannot say that the Act we are amending was a bad law. Does he mean that if located labourers go on the Statute Book that we could not discuss it?

Hon. M. E. COX: On a point of order, I did not say that. You can bring in an amendment any time, but when an amendment comes before the House, it is a substantive motion and the Rule says you cannot do it other than by a substantive motion.

Mr. BARROW: The hon. member not only talked about it but discussed it at length and disclosed official secrets here tonight. He discussed what took place at Executive meetings and matters of that kind. This is above his head. The late hon. junior member for the City, Mr. A. E. S. Lewis distinctly pointed out to the Government on more than one occasion that the Executive Committee Act only gave them power to lease docks; that had nothing to do with the exchange of land when they contrived to exchange land; so they brought in the amendment which is the 1951-27 Act which we are trying to change now, but even this reservation shall be with the approval of the Legislature.

Mr. Speaker, there must be some limit to the authority exercised by the Executive Committee. Let them understand this clearly once and for all; the Legislature is delegating powers to the Executive Committee. The Executive Committee is not comprised particularly now of people who are sitting down on plantations, or people who are in England and come here on vacation or anything like that; it is comprised of members of the Legislature, and the other people of the Executive Council have a right to sit on Executive Committee only when summoned by warrant on special occasions; therefore the part cannot be greater than the whole. The sooner they realise that we derive our authority from the people, the better. We delegate for the purpose of the mechanics of Government certain powers to the Executive Committee which is now the Cabinet; so they cannot be greater than us. They cannot take Sedgepond Plantation and exchange it for some land at Orange Hill or anything like that. I see the hon. junior member for St. James beginning to take an interest. They have come to us and let us decide whether it is a worthwhile project.

All I said in relation to the Admiralty Pasture was that the hon. member says it was done without the approval of the House due to a slip-up. I am not commenting on the subsequent ratification; I am commenting on what was done prior to the ratification by the House.
9.40 p.m.

I am merely pointing out what was done there when they did not have the authority to do it so that two acres of land which was lying fallow and which was fertile was exchanged with a plantation at the ratio of two acres of fallow land for one acre of rab land. (Hon. M. E. COX: That is not true.) How much was it? I give the hon. member a chance to say what the ratio of exchange was, whether the land which we gave them was not at the ratio of two acres of fallow land for one acre of rab land. (Hon. M. E. COX: That is wilful lying.) We were here; we did not drop from the sky. I give the hon. member a chance to say what the ratio was. It may be 1.798 recurring to one acre of plantation land. I was merely pointing out the mechanics of democratic Government and the reason why you cannot delegate to the Executive the power to do things like this.

We do not mind the time. It is our duty to sit in here even if it is until 3 o'clock in the morning. It is part of our duty to approve of these leases. The main reason given in the Addendum for altering the constitution in this respect is this, and I will read it.

"As it is felt that the present requirement contained in the principal Act for all leases of public properties to be subject to the approval of the Legislature imposes an unnecessary restriction on the administration and wastes the time of the Legislature, clause thirteen seeks to provide that only those leases which are for periods exceeding ten years shall require such approval."

Now, Sir, you can see what we are driving at. Twenty years from now this democratic Government would have to go on and by that time most of us would be pretty near our allotted span. This is a constitutional principle. It is not what we want or what they want. No administration has got the right to tell the Legislature that the House having to approve of something is a restriction on them. That is Item No. 1 and Item No. 2 is that they cannot tell us what is a waste of our time. We have to tell them what we consider is a waste of our time. I do not know of any place in the world where the people would surrender their sovereign rights and allow the administration to hold virtual powers of life and death over their life and property as they do here in this Island. The hon. member has admitted that on one occasion the administration even effected something which was *ultra vires*. (Hon. Dr. H. G. H. CUMMINS: Not me.) I did not say a member of the Government; I said the administration.

Hon. M. E. COX: Mr. Speaker, I rise on a point of order. I said that maybe it was due to a slip-up. I said that I presumed it was an oversight. I said "slip-up" first and then I clarified it. At a later stage I will try to explain further.

Mr. BARROW: The point is that it was done and it was done contrary to law. The only reason for the hon. member emphasizing "slip-up" is that he is trying to impress on the House that it was not done intentionally. I was beginning to be converted to his point of view that it was a slip-up, but now it seems as if it was not a slip-up at all. He seems to be presuming that it was a slip-up. It has to be either a slip-up or an intentional and deliberate act done to deprive this Chamber of its constitutional authority. It must be one of those two things which would tend to lower the authority and dignity of this House and it seems to me as if the hon. member is in doubt as to whether it was a slip-up. Whatever it was, it was *ultra vires*, unconstitutional and illegal. They want us to give them the authority to do it legally and that is why I say I doubt very much now that it was a slip-up in the first instance. They want us to give them this power so that they can do things clandestinely without the full knowledge of this Legislature and so that they can do these things with impunity and that we

cannot challenge them as we challenged them before on grounds of constitutional legality.

I will give you another illustration. There is a road at Bath on the old railway line and the Hon. Minister of Communications came in here last year and said in a reply to a question posed by me that this land has been leased to certain private property owners who had constructed the road and I remember asking him then under what authority was that land leased; so you will see that they have no authority to lease it. These private owners were obstructing the road at Bath so that motor lorries and excursion buses could not go down there on Bank Holidays. When I asked the hon. member what were the terms of the lease, he said that the Governor-in-Executive Committee had leased that road out on a monthly basis. Now, my colleague from St. John knows that that is so. So, Sir, here is another illustration. I think that the obstructions have been removed but not by the Department over which the Hon. Minister presides, but by the private people taking the law in their hands. There again, the Executive Committee entered into a private treaty to lease that road at Bath. It was a question of their vesting the possessory rights of the people in the private owners down there and they did not dare to come to the House to do that kind of thing.

Sir, do you not think when they go to do something in my parish that my colleague and myself want to know something about it? There is no reason why people should not be able on Bank Holidays to go to Bath.
9.50 p.m.

There are a lot of little petty annoyances that an Administration can impose on the people of this island under the guise of vesting proprietary rights of the public in private individuals. If the Section only went so far as to allow the Executive Committee to lease land under a ten-year period, then one may say that if their reasons were valid the position may not be so bad. But if you were to read the Section you will see that this is what it says:-

"Section twelve of the principal Act is hereby repealed and the following new section to be numbered "12" substituted therefor -

12. The Executive Committee may lease any lands vested in them for a fixed term not exceeding ten years or may dispose of any personal property vested in them and may, with the approval of the Legislature, lease for any period exceeding ten years any such land or may grant, sell or exchange the same."

I am saying that there is a patent ambiguity in the wording of the section. The way in which the Section is worded may give the Executive Committee power to grant, sell or exchange the land without getting the authority of the Legislature. I know that it is worded like that intentionally because when they have something to sell they will say: "You gave us the power and now you are reflecting on a vote of the House." That is the security behind which they want to shelter. We do not have to make expressions about "over our dead body"; we talk about "over our living body". We are not voting for this Section because it is the negation of democratic and constitutional rights. The whole Deep Water Harbour area may be leased and we may not know anything about it. Mr. Chairman, we cannot vote for this Section.

Even the Executive Committee, when they are renting out the Garrison Savannah, have to put a notice in the *Official Gazette*. They have to give notice that they are renting the Garrison Savannah on special days every time that a race meeting is going to be held. That is only something in which everybody participates. What is there to prevent them from exchanging Sedgepond Land for a piece of land at Peterkins Road? They can say that they will rent Sedgepond Land to a man for the purpose of planting a kitchen garden and he will give them some where for the buses to be turned around.

Mr. Speaker, I consider this as a most retrograde step from the point of view of parliamentary democracy and I am instructed to say that we do not see our way to support this amendment.

Hon. M. E. COX: Mr. Speaker, there are a few points which I want to make before you put the question.

Mr. BARROW: On a point of order. The hon. member did not ask for permission to speak. The Premier has spoken and, as Your Honour has said, the hon. member has made several explanations on points of order.

Mr. WALCOTT: I was waiting to see if the Premier was replying. The hon. junior member for St. John desired to speak but he did not have the right to speak and Your Honour permitted him to do so with the clear understanding that the Premier would have the right of reply to that speech. The matter was closed because nobody else wanted to speak after the Premier. If the Hon. Leader of the House can speak now, that would be making a farce of the Rules of this House.

Mr. SPEAKER: The hon. member is perfectly right. Does the hon. Premier want to reply?

Hon. M. E. COX: May I ask whether an hon. member cannot ask this House for permission to speak?

Mr. SPEAKER: Under certain circumstances, but not under these circumstances. The hon. junior member for St. John rose to speak after the Premier had replied, and it was with the distinct understanding that the hon. member had got the leave of the House to speak and that he would be the only member to get such leave. If any hon. member thinks that he can now speak, that would be making a farce of the Rules of this House.

Hon. M. E. COX: With all due respect to Your Honour...

Mr. SPEAKER: I have already ruled.

The question that this Bill be now read a second time was put and resolved in the affirmative.

A division was taken as follows:-

AYES: Mr. BRYAN, Hon'bles Dr. H. G. H. CUMMINS; COX; MAPP; GARNER; THORNE; Messrs. SEARLES; STRAUGHN and SMITH - 9.

NOES: Messrs. WALCOTT; TALMA; BARROW; TUDOR; CRAWFORD and BRANCKER - 6.
10.00 p.m.

Hon. Dr. H. G. H. CUMMINS: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

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

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House went into Committee, Mr. BRYAN being in the Chair.

Clause 1 was called and passed.

Clause 2 was called. It reads as follows:-

2. Section two of the Executive Committee Act, 1891, which Act is hereinafter referred to as the principal Act, is hereby amended as follows:-

- (a) by re-numbering section two thereof as section "2 (1)";
- (b) by deleting the words "Immediately on the opening of each session of the Legislature" appearing in lines one and two thereof and by substituting therefor the words -

"At the opening of the first session of the Legislature following a dissolution of the Legislature";
- (c) by deleting therefrom the word "Executive" appearing in line five thereof and by substituting therefor the word -

"Privy";

- (d) by deleting therefrom the words "Governor-in-Executive Council, a committee" appearing in lines six and seven thereof and by substituting therefor the words -

"Governor and the Attorney General, a committee to be known as the Executive Committee";

- (e) by deleting therefrom the words "the Executive may deem it" appearing in lines nine and ten thereof and by substituting therefor the words -

"it may be deemed";

- (f) by inserting a full-stop immediately after the word "institutions" appearing in line twelve thereof and by deleting therefrom the words -

"of the kind and in the manner hereinafter mentioned."

appearing in lines twelve and thirteen thereof;

- (g) by deleting therefrom all the words appearing therein immediately after the word "appointed" in line fourteen thereof to the end of the section and by substituting therefor the words -

"shall, subject to the provisions of section three of this Act, continue as members of the Executive Committee until the opening of the first session of the Legislature immediately following the dissolution of the Legislature at the opening of which they were so appointed members of the Executive Committee.";

- (h) by inserting therein the following new subsections to be numbered "(2)" and "(3)" -

"(2) Notwithstanding the provisions in subsection (1) of this section specifying the occasion on which appointments during pleasure shall be made to the Executive Committee, the Governor may from time to time appoint during pleasure to the Executive Committee members of the Legislative Council or of the House of Assembly to be members of the Executive Committee in addition to those already appointed or to fill any vacancy arising in the membership of any member of the Executive Committee appointed during pleasure and any appointment so made shall be subject to the like terms and conditions applicable to an appointment made during pleasure under the said subsection (1).

(3) Where any appointment is made to the Executive Committee under the provisions of subsection (2) of this section the Governor shall cause public notice to be given of such appointment."

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

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

Mr. WALCOTT: Mr. Chairman, I would like to know if the Government had any discussion on this matter and what is Government's policy with regard to the position of the Attorney General in relation to constitutional changes. Is the Government still of the opinion, in view of what is taking place and in the context of constitutional changes, that the Attorney General's post should not become a political post? It seems to me that with these constitutional changes which we are making we are still retaining the Attorney General, when in truth and in fact the Attorney General is a Civil Servant. He cannot make any policy with regard to Cabinet decisions, and the time has come when you want a politically appointed Attorney General. You should face that issue foursquare and tell the public so rather than wait until Trinidad, British Guiana or somebody else does it, because if in 1962 we are going to have internal self-Government, the time has come when you should be able

to declare your policy on this matter. I should like to know what are the views of the Premier on this question.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, if the hon. member will remember, I referred to October 1959 as the date when the proposals were before this House, and I did mention that with regard to the office of the Attorney General, it is agreed that we can have a political Attorney General when it suits us. It is already agreed on, so when the time comes and it suits us, we will have the change made.

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

Clause 3 was called. It reads as follows:-

3. The principal Act is hereby amended by inserting immediately after section two thereof the following new sections to be numbered "2A" and "2B" -

"2A. The Governor shall appoint a person in the public service of this Island to be Clerk to the Executive Committee.

2B. Before entering upon the functions of his office, the following oath or affirmation shall be made by every person appointed in accordance with the provisions of sections two and 2A of this Act before the Governor or some other person authorised in that behalf by the Governor -

'I..... do swear that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the office of member/clerk of the Executive Committee and that I will not, either directly or indirectly, reveal such matters as may be discussed in Executive Committee and committed to my secrecy. So help me God.'

or

'I..... do solemnly and sincerely affirm and declare that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the office of member/clerk of the Executive Committee and that I will not, either directly or indirectly, reveal such matters as may be discussed in Executive Committee and committed to my secrecy.' "

Hon. Dr. H. G. H. CUMMINS: I beg to move that Clause 3 stand part.

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

Mr. TUDOR: Mr. Chairman, I wonder if at this point the Hon. Premier would like to answer one question which I believe arises out of consideration of this Clause. In the new set-up, what exactly will be the difference in duties between the functions performed by the Cabinet Secretary and the Clerk of the Executive Committee?

Hon. Dr. H. G. H. CUMMINS: As I said a little while ago - I do not know if the hon. member was not here - naturally now that there is no Chief Secretary, the major portion of the functions performed by that officer will be transferred to the Premier's office. Of course, the hon. member asked why we had an officer of that high standing, but that does not answer his question. In fact the hon. member is asking about the functions. As I said, he will have now the major portion of the work of the Chief Secretary's office, which will be transferred to the Premier's office, in addition to his work as Cabinet Secretary.

The question that Clause 3 stand part was put and resolved in the affirmative without division.

Clause 4 to 10 inclusive were called and passed.

Clause 11 was called. It reads as follows:-

11. Section ten of the principal Act is hereby amended as follows:-

(a) by inserting in subsection (1) thereof immediately after the word "office" appearing in line eight thereof the words -

“, in the case of the real property,”;

(b) by inserting in subsection (1) thereof immediately after the word "Island" appearing in line ten thereof the words -

“, and in the case of the personal property, in trust for the public of this Island”;

(c) by deleting from subsection (1) thereof the words "Governor-in-Executive Committee may in his discretion" appearing in lines sixteen and seventeen thereof and by substituting therefor the words "Executive Committee may”;

(d) by deleting from subsection (1) thereof the words "Governor-in-Executive" appearing in line twenty-one thereof and by substituting therefor the word - "Executive”.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 11 stand part.

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

Mr. WALCOTT: Now, Mr. Chairman, I do not have the Act, but I am going to deal with Clause 11. This section talks about the property, and I do not think the Premier has given us any real explanation about the changes which are proposed in this Clause; so I think that this Clause and the following one will give him an opportunity to explain. I think that the administration is extremely impertinent to send this to us in this Chamber and members would be losing their sense of balance. The note which appears here in the Objects and Reasons is an insult to suggest that bringing a thing like this to the Legislature is an unnecessary restriction on the administration, and that the administration is more important than the Legislature in dealing with vital matters.
10.10 p.m.

Now, this is what I want to draw to the Hon. Premier's attention and I think he will agree with me. This is nothing which you should fight about; this is something which you should agree to. I think when I am finished speaking on this, you will agree with me. I am pointing out to the Hon. Premier that this is a small island and you must not forget the fact that you are in power today, but you have not got all the votes. You have been voted to come in here as well as I, and we are not going to be in here forever. Some people may succeed us who may possess the same philosophy as we, but it is a question of propriety.

The Central Foundry land has been vested in the Executive Committee. Why should it be a lease for ten years in order for us to determine whether they should be given a lease? The Hon. Premier said that somebody in the administration says that it imposes an unnecessary restriction if it is a lease for less than ten years. I have been a member of the Executive Committee and I know that a lot of Jim Crowism is practised in Barbados. The number of people who can lease lands from the Government is mainly people from the money owning class. You have a few people who had bathsheds put at Shot Hall and that is the sort of thing which you do not really want to waste time about. But do not tell me that the Aquatic Club wants a lease and we should not know anything about it. This is no Executive secret which I am bringing out. On one occasion I said to the Governor then that I was not in favour of leasing land to the Aquatic Club unless they were prepared to allow people like me to walk in there. Of course, I said that I did not mean myself. I do know that I can go places now where I could not go before, and it is not on the basis that I am more wealthy; but it may be because such people at those places feel that it is good to have me there as an advertisement for them. They can say: "Look, Mr. Walcott was there." The Molasses Terminal has a lease of land which is vested in you and it is my interest to know, when that lease is to be renewed, how long you are going to lease it for. With the employment practices which some of those people carry on, we of the Trade Union say that it is a practice which we are not in favour of and that is why we would like to know something of these leases. I am sure

the Hon. Premier is aware that we have had difficulties with people who leased land which was vested in the Executive Committee.

Now, Mr. Chairman, I do not know in whom the land of the Deep Water Harbour is vested, but I know that the Port Manager has control over the 92 acres of land there. I also know that the Government has under consideration the leasing out of that land and I want to say in this Chamber now that there will be the biggest showdown in Christendom if we do not know beforehand everything in detail in relation to the lease of that land at the Deep Water Harbour. I say that because I am aware that the Government is getting advice on this matter which is not good. That is the sort of situation which is arising there and then we would hear that this person or firm has got a lease of the land there. We want to know now before you pass legislation what are the portions of land which you have to lease, and in view of the fact that the Deep Water Harbour has just been built and the land there is vested in you, what are the applications which you have received for leasing that land from you and what you are going to do about it. As a matter of fact, I hear that some people want to buy some of the land there. It is true to say that I have built the Deep Water Harbour; therefore, I want to know something of how the land there is to be leased and to whom it is to be leased. That is something which I want members of the Government to understand. Do not get the idea that I only turn up in here, I have been elected in the same manner as you have been elected. If I had turned up in here just so, you, Mr. Chairman, would be asking a policeman to put me outside of this Chamber. They cannot ask a policeman to put me outside because I have been elected to this Chamber. As the hon. junior member for St. John has said, there is the belief that when you vest something in the Executive Committee or the Cabinet that the Cabinet is more important than the people who sent all of us here. But that is a fallacy. The only authority by which we have to come in here is by the votes of the people. There are also some people who have got the idea that you vote for the House of Assembly *en bloc*. That is not so. They vote for the name of the person whom they want to represent them. I say this to the Premier and I challenge him to deny it. He has under consideration leases and the disposal of land at the Deep Water Harbour. The provision of this amendment in the Bill is going to be a means of Government disposing of the land at the Deep Water Harbour without coming to the Legislature and the reason for it is because some people are against you discussing that in here.

I say that there is a lot which is going to shock the people. The Hon. Minister of Trade can elect whomever he likes and put them on the Deep Water Harbour Board, but, may be, he is going down there to unload the ships that call at the Port. When it comes to using this as a guise, you are not taking the people of Barbados into your confidence. What little guys have you up there that they have got so cocky that they can say that it is a nuisance and an unnecessary restriction on them to ask you to come to the House to seek approval of these leases? Let those little guys go and face the people. I am sure that this is not the policy of the Premier. As a matter of fact, the Premier would not write this rude note. We of the Opposition are your equals in here. You say that it imposes an unnecessary restriction on the boys whom you employ and to whom you pay pensions for them to come to us; therefore it means now that the Legislature is not the supreme authority of this country, but that the administration is the supreme authority and the Legislature is only a glorified rubber stamp. 10.20 p.m.

The Premier would know this. Constitutional changes cannot affect a basic principle. In England you have constitutional changes and a Sovereign Government. The Aquatic Club is vested in the Government and for how long is the lease in relation to that Club? It is a yearly lease and the matter does not even come up here. You give the Governor-in-Executive Committee the power to renew the lease from time to time. I do not know what the legal position is where that is concerned. As the hon. senior member for Christ Church has said, you grant a lease for three years and the lease is renewed. When we come to the other part of this matter, I will tell the Premier that he should endeavour

to introduce something which connotes value. If you are dealing with value, I am sure that hon. members would not worry too much if the property is only of a certain valuation. A very important debate will take place in here on this question of the lease of land. The Deep Water Harbour is a valuable area; it is the most valuable area of land today. It has a value of \$30 million. I feel that the Premier would be well advised not to proceed with this Measure which has come down as a part of their constitutional changes. This has nothing to do with the constitution.

The Governor-in-Executive Committee already has the power to lease land; because you are having constitutional changes and you are having a Cabinet, what is that to do with it? The land at Cave Hill was sold out and nobody came to this House in connection with that; but your friends might buy it and we want to stop that. Some people will make an exchange and you know what they get in exchange. I am saying that the vesting of the land in the Government of this country is all right, but when it comes to fundamental things you cannot give them unlimited rights. Even where you have children you put a Clause in your Will so that the mother of those children should live in a place until she dies, so that the children should not put her out. Why do you want to arrogate to yourself the things which you should share in Parliament? The next thing will happen is that the people in the Administration will send around a Round Robin for you to sign.

Hon. Dr. H. G. H. CUMMINS: On a point of order. To what is the hon. member referring when he talks about sending around a Round Robin?

Mr. WALCOTT: When I was in the Executive Committee they used to send around papers for me to sign. I signed for somebody to go to the Mental Hospital. I have been in the Administration and the Administration constitutes the Government in power; you are giving this power to the present Government, but the Administration does not want the trouble of sending something to the Legislature. Very soon the Legislature will agree to a Cabinet and then we can go back home; we will not need the Legislature because you will have a Cabinet. Why do you come here and ask us to vest land in the Governor-in-Executive? The land belongs to the people of Barbados and the Legislature is only the trustee for the people. I am sure that the Premier would not agree that trustees should have the unlimited right of disposing of property without the owners knowing something about it. If this land is vested in the Governor-in-Executive Committee, if this proposal is giving authority to have the land vested in the Executive Committee, can you say that the point which we have raised as to what matters will come up is something which should not be considered? I think that this matter about the leasing of land in the Governor-in-Executive Committee is something which should be further considered. The length of the lease is an important matter for the hon. members to discuss, but I do not think you should say that they own property.

I would say that just as that other right is extreme on one side, this Bill is extreme on the other and it does not leave any room for modification. I think that the Premier has heard my views and he should be willing to see that there is no unnecessary restriction on the administration. I should like to say that this is the worst thing that could have come down to us by way of a note.

Hon. M. E. COX: Mr. Chairman, perhaps I would not have spoken on this matter if the hon. member had not referred to the Cave Hill project some time ago. I do not have to go over what I said about the purchase of Cave Hill ever since. I would just say this. 10.30 p.m.

Whereas areas were sold by people who were very friendly with the hon. member at 36 cents, 40 cents and 60 cents a square foot, when I was Minister of Communications, Works and Housing I bought the Cave Hill area at approximately 6 cents a square foot somewhere in 1955, and I am sure that everybody would agree that that was a very good buy indeed. But those little insinuations do quite a lot of harm, because whenever one thinks about money, one will always say that the individual got something out of this deal.

Cave Hill was sold out by friends or maybe it was bought from your friends.

I am going to quote from page 301 of the *Official Gazette* of this House, the meeting of 1st September, 1953, when the hon. senior member for St. Peter was on this side of the House. This is what he said in reply to the late A. E. S. Lewis who was a very meticulous and critical person as far as government was concerned. The member was then a member of this Government. (Mr. CRAWFORD: He has more sense now.) As long as he is associated with you, he is bound to have more sense, I am not a chameleon. I will die on one spot. This is what the hon. member said:-

"I am not dealing with the aspects of this Resolution;" - this was the Resolution for the purchase of Enmore which is now a Health Centre. (Mr. WALCOTT: What is the relevance between Enmore and Cave Hill?) This is what the member said in reply to the late A. E. S. Lewis when he made a remark similar to the one which the hon. senior member for St. Peter has just made.

Mr. WALCOTT: On a point of order, the hon. member says that the late A. E. S. Lewis made a similar remark in relation to Enmore. I spoke about the purchasing of Cave Hill without coming to the Legislature. You had to come to the Legislature for the purchase of Enmore, but not for Cave Hill.

Mr. CHAIRMAN: Before the hon. member proceeds, what I understood was that the hon. member for St. Peter made reference to the purchase of Cave Hill without the sanction of the Legislature.

Hon. M. E. COX: What is he doing but insinuating improper motives?

Mr. WALCOTT: If the hon. member wants me to reply, I said that this is a small community and in a small community the number of people who can buy and sell land belong to the money classes. In making reference to what this is likely to do, I said that the purchase of Cave Hill was made and that is one of the things that did not come to the Legislature, and that is why I do not like the idea of giving the right of having these things done without coming to the Legislature. I did not go anymore into the details, because I can go into the details of Cave Hill any time with the hon. member, and I would say that he is bound to come out on the wrong side.

Hon. M. E. COX: That is the type of remark to which I am objecting.

Mr. CHAIRMAN: The hon. senior member for St. Peter made reference to the purchase of land at Cave Hill without the sanction of the Legislature, and as you said, he said it before and you got up and refuted it on several occasions. You have got up again and pointed out the advantage of the Cave Hill area. In this instance you are quoting from the *Official Gazette* on a matter which came before this House re the purchase of Enmore which in my opinion is an entirely different matter. That has nothing to do with Cave Hill, and I do not think it is right to open the question of Enmore in the face of a Resolution having come for the purchase of Enmore and therefore having legislative sanction. It is not on all-fours with the purchase of Cave Hill, nor does it deal with the Executive Committee Act which we are now discussing.

Hon. M. E. COX: With great respect to Your Honour, I would appeal to Your Honour to realise that in this Assembly when the character and integrity of a member is challenged, every ounce of latitude should be given to the member of the Government, so that he can defend himself.

Mr. CHAIRMAN: I have given you latitude because you have refuted the statement.

Hon. M. E. COX: I have not even attempted to read what I am prepared to read tonight. I want you to understand, Sir, that if you were acquainted with the facts of the two sets of circumstances, you would not have made the statement you

made just now, because in so far as the Cave Hill property is concerned, it was bought with money which was vested in the Executive Committee; so we did not have to come to the House of Assembly. The hon. member knows that as well as anybody else because he was a member of the Executive Committee.

Mr. WALCOTT: That is precisely what I said; and that is the analogy that I brought to show that in that case it did not have to come before the Legislature. That is why I said that this is a small community and we do not like to do these things unless we come here.

Hon. M. E. COX: What I am asking, Mr. Chairman, is why should the hon. member get up and say that we never brought it before the Legislature when the hon. member who was a member of the Government knows that it was bought out of Labour Welfare Funds which were and still are vested in the Executive Committee. He knows that we bought land for playing fields....

Mr. WALCOTT: Mr. Chairman, on a point of order, I did not say that the Cave Hill matter should have come to the House. This is a Bill which will give the Executive Committee the right not to come to the Legislature for a lease unless it is over ten years, and that is where we say the period is too long; it should not be related to periods.

Mr. CHAIRMAN: I do not agree that that is the statement you made, because I was listening and waiting to hear whether you would attempt to deal with the time for the extension of the lease for ten years.

Mr. WALCOTT: I have only dealt with that in passing, but that really comes under section 12.

Mr. CHAIRMAN: The question of time did not arise at all; otherwise I would have stopped you.

Mr. WALCOTT: I spoke on the question of not coming to the Legislature, and I brought in Cave Hill as an analogy, so that is the point.

Hon. M. E. COX: The hon. member referred to purchasing land from our friends, and if Your Honour will remember, the member said that if we had to go into this Cave Hill issue, I would come out on the wrong side. I am sure that with those remarks you will allow me to refer to what the hon. member said as regards the integrity of members of the Government of which he was a member at the time.

Mr. CHAIRMAN: Is it in connection with Cave Hill? 10.40 p.m.

Hon. M. E. COX: Sir, what I am saying is analogous to what the hon. member said just now.

Mr. CHAIRMAN: May I ask a question? Is that dealing with the Resolution which came here for the purchase of "Enmore"?

Hon. M. E. COX: I am speaking on Section 13 of this Bill and I am replying to remarks made by the hon. senior member for St. Peter on this very section.

Mr. CHAIRMAN: I am asking the hon. member if he is dealing with the Resolution which came before the House for the purchase of "Enmore".

Hon. M. E. COX: I am no baby. I have tolerated a lot. The Chair has a responsibility to this House and a duty to members too. All I am saying is that I am speaking on this Section of the Bill and I am replying to remarks made by the hon. senior member for St. Peter.

Mr. CHAIRMAN: I have asked you a question and it does not seem as if you will answer it. I have asked if that is dealing with the Resolution which came before the House for the purchase of Enmore. If so, I am not prepared to allow you to deal with that.

Hon. M. E. COX: I am prepared to quote what the hon. senior member said when he was a member of Government when there was an issue to purchase land which was something similar to what he said just now. I am prepared to quote what he said then in respect of character of the members of the Government of which he was a member.

Mr. CRAWFORD: Sir, they cannot do as they like. Let us go home. What are you? The Chairman or what?

Mr. CHAIRMAN: Two hon. members are on their feet. Will both hon. members take their seats. I have had the occasion to call the Speaker to adjourn the House already. I do not want to do it again.

Mr. CRAWFORD: Call the Speaker.

Mr. BARROW: Mr. Chairman, I rise on a point of order. I have never seen in my short career such disgusting behaviour by the Hon. Premier. He is walking into the Chamber, throwing his hands up and saying "let us go home; let us go home."

Mr. CHAIRMAN: That is not a point of order. That is for me to decide as Chairman.

Mr. BARROW: I am drawing it to Your Honour's attention. Here we have a debate taking place and the Hon. Premier walks in here shaking his hands and jumping up and saying "let us go home; let us go home."

Hon. Dr. H. G. H. CUMMINS: I certainly did not say so.

Mr. BARROW: Whom do you want to frighten?

Hon. M. E. COX: Yes, Mr. Chairman, this is what the hon. member said. I am dealing with the remarks made by the hon. senior member for St. Peter.

Mr. BARROW: I am on a point of order. You will keep quiet.

Mr. WALCOTT: I hear that the Premier was a boxer. You had better be careful.

Mr. CHAIRMAN: I am speaking to the hon. senior member for St. Peter. Do not let your asides be so loud.

Mr. BARROW: The Minister is taking the authority of the Chair into his hands and he is making a long harangue and is trying to overrule you. You said that he should not read any speech and he is now reading a speech.

Hon. M. E. COX: The Chairman never said such a word.

Mr. BARROW: I am still on my feet.

Mr. CHAIRMAN: I am speaking to both hon. members.

Mr. BARROW: But he is spitting in your face.

Mr. CHAIRMAN: I would like to make an appeal to this Committee. I have had an occasion previously through disorder in Committee to summon the Speaker and it seems as if I would have to do it again.

Mr. BARROW: You will have to do it again. He is flouting the authority of the Chair.

Mr. CHAIRMAN: I am speaking to the hon. senior member for St. Michael. I am drawing to your attention that if that is a Resolution for which financial sanction of the House was obtained for the purchase of "Enmore", it is not in my opinion on all fours with the purchase of Cave Hill. I am prepared to give all latitude to the hon. member to defend any charges made against him in the case of Cave Hill. You can go on and defend the charges made against you, but I do not feel that you should be allowed to bring in the "Enmore" question, because as I have said, I do not see where the analogy comes in. If you are going to quote a speech made by the hon. senior member for St. Peter relative to the character of the member, that part will be allowed.

Hon. M. E. COX: I am not quoting any Resolution; I am quoting something which the hon. senior member for St. Peter said in September 1953 when he was a member of this Government. This is part of the remarks which the hon. member said:-

"I am dealing with the remarks which the hon. junior member for the City has made here with some reference to me as a member of the Executive Committee. I want to say that I have the greatest respect for the hon. member's integrity."

Mr. CRAWFORD: I rise on a point of order, Mr. Chairman. Are we to understand you to say that any reference to "Enmore" in this context would not be allowed?

Mr. CHAIRMAN: He has not said anything of "Enmore" yet. If he says anything of that, I will stop him. I said as regards the charge made against him, that I would allow him the opportunity to defend himself.

Hon. M. E. COX: The hon. senior member for St. Peter went on to say:-

"I want to say that I have the greatest respect for the hon. member's integrity; knowing him as I do, I regard him as one whose integrity I would not challenge." (He was referring to the late Mr. A. E. S. Lewis.) "The hon. member made a statement to the effect that the reason aback of the acquisition of this property is that the owner of it seems to be in some financial difficulty."

Mr. BARROW: Mr. Chairman, I challenge the hon. member that he is not leaving words out of the speech. I want you to see the debate so that you can check what he is reading. Let him quote the debate in full. He cannot substitute words. You have made a ruling and this is an attempt by the hon. member to subvert your authority and to fly up in your face. I challenge the hon. member because I know he is not quoting the debate now. I was present during that debate and I am inviting you to see that he is not leaving out and substituting words in that debate. I never owned land at Cave Hill. I was never an auctioneer, a racketeer or a buccaneer.

Mr. CHAIRMAN: In answer to the hon. junior member for St. John, what I have to do is to wait and hear what he says, and if he quotes anything at all against the ruling I have made, I will stop him.
10.50 p.m.

Mr. BARROW: I am drawing to your attention the fact that the hon. member is not quoting the debate; he is changing words in the debate. I happened to be present and I know that he is not quoting the debate. It was seven years ago but I am certain that what I am saying is correct. He is subverting your authority by substituting words.

Mr. CHAIRMAN: I am waiting until I find that out. The hon. member can read extracts from the debate.

Mr. BARROW: Are you saying, Mr. Chairman, that you cannot call for a document from which an hon. member is purporting to read when another hon. member in all seriousness tells you that he is misquoting? Are you saying that seriously? If that is so, then you have no respect for the Chair which you are occupying.

Mr. CHAIRMAN: I intend to look at the document when the Hon. Minister has finished.

Hon. M. E. COX: Yes, but you cannot look at it so. If you say that you will ask me for it, that is O.K. The debate is that of the 1st September, 1953, on page 301. I would like to assure you, Mr. Chairman, that when I said "this property" that is mentioned here. The hon. member is capable of grievous dishonesty.

Mr. CHAIRMAN: There are three members on the floor of the House.

Mr. BARROW: I would like to know which hon. member he means when he refers to him as being capable of grievous dishonesty.

Hon. M. E. COX: I mean the hon. junior member for St. John.

Mr. CHAIRMAN: I think that the hon. member should withdraw those words "grievous dishonesty".

Mr. BARROW: When last did you see me taking sailors to my home?

Mr. CHAIRMAN: I would like to draw the attention of the hon. member to the fact that I am on my feet.

Mr. BARROW: Mr. Chairman, are you going to ask the hon. member to withdraw the remarks?

Mr. CHAIRMAN: I am asking you to withdraw the remark which you just made too. I will ask the Hon. Leader of the House to withdraw his remark and I will also ask the hon. junior member for St. John to withdraw his.

Hon. M. E. COX: I will withdraw that remark.

Mr. BARROW: I withdraw my remark also.

Hon. M. E. COX: The hon. senior member for St. Peter said this: "The hon. member made a statement to the effect that the reason aback of the acquisition of this property is that the owner of it seems to be in some financial difficulty and apparently the four members of the Executive Committee were aware of that. The hon. member said that on the eve of the introduction of Ministerial Status, the members of the Executive Committee must be careful because as sure as two and two make four, anyone who is dealing with a matter such as this, would find it very difficult to explain the position to the public. Just as I have the greatest respect for the hon. member's integrity I have the same respect for members of the Executive Committee other than myself."

Mr. WALCOTT: On a point of order. What do you want me to say?

Hon. M. E. COX: He speaks the truth conveniently.

Mr. WALCOTT: What is wrong in my saying in 1953 that I had respect for the hon. member's integrity? Within the context of the speech, he was talking about "Enmore", and we were accused of having bribes; but do not tell me that that was anything improper.

Hon. M. E. COX: I am satisfied that the hon. member's expressions of truth are spasmodic and occasional; they are not consistent.

Mr. WALCOTT: The hon. member should bring all the papers in connection with the Cave Hill matter; he should go into details. We would ask the Governor to release all the papers to the Premier and allow this matter to be the subject of debate in this House.

Mr. CHAIRMAN: Now that the Cave Hill incident has been finished, and the hon. senior member for St. Michael has had his chance to quote from the speech of the hon. senior member for St. Peter that he had the greatest respect for the integrity of the hon. members of the Executive Committee, I would suggest to the Hon. Leader of the House that that matter has been closed and therefore let us get back to Section 1 of this Bill.

Hon. M. E. COX: Mr. Chairman, there is one last thing which I will read. I should like to say that such statements as are being made are doing more harm than anything else in this community. This is what the hon. member said:

Mr. CHAIRMAN: That matter has been closed. Let us proceed with Section 11 of the Bill.

Hon. M. E. COX: That is all I wanted to say on this Section.

The question that Clause 11 stand part of the Bill was put and resolved in the affirmative without division. Clause 12 was called.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 12 stand part of the Bill.

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

Mr. WALCOTT: Mr. Chairman, this is the Clause to which I think the Hon. Premier would have to give serious thought. This Clause says that the Executive Committee... (A MEMBER: It is the next Clause.) I am sorry, Mr. Chairman.

The question that Clause 12 stand part of the Bill was put and resolved in the affirmative without division.

Clause 13 was called.

Hon. Dr. H. G. H. CUMMINS: I beg to move Mr. Chairman, that Clause 13 stand part of the Bill. In making this motion I want to say that as regards what the Hon. Leader of the House referred to in the speech which he read from the *Official Gazette*, I was about to say the same thing which the Hon. Minister said.

11.00 p.m.

The hon. member was a member of the Executive Committee at one time and while there we must have dealt with matters of this sort - leases, transfers and things of that nature. He must have seen something transpire there which caused him to adopt the attitude he adopts tonight of imputing dishonesty to the Executive Committee. Of course his reply a little earlier to the hon. member on my left was "what did you expect me to do at that time?" If he at that time thought that the members of the Executive Committee were dishonest, he should have resigned; he should not have associated himself with a bunch of people in whom he had no confidence.

With regard to the leases themselves, the hon. member mentioned the Aquatic Club. The Aquatic Club had a long lease; I think it was 15 or 20 years. (Mr. BARROW: Twenty five years.) When it came back to us for renewal, we refused to renew it and the Aquatic Club has been going on on a yearly rate every since 1949. Now I say that to say this: The Government property must be vested in somebody. It is not vested in me; it is vested in the Executive Committee, and we happen to be members of the Executive Committee. Of course we will be members of the Executive Committee for some time yet, but there may possibly be a change, and when it comes about it applies to the people occupying the office. Somebody has to own it, take care of it and administer it, and when there are questions of leases, somebody has to look after them. All we are saying is that if you have confidence enough in the Executive Committee to make them owners of property, why can that confidence not extend to the granting of leases for periods up to ten years? What can members of the Executive Committee do with the property of the Government? They cannot sell it and put the money in their pockets; so I really do not see the need for all this argument that is going on. We have simply said that instead of coming to the Legislature for leases of three, four and five years, let us agree to give the Executive Committee authority to contract a lease for ten years, and above ten years to come to the Legislature.

Mr. Chairman, I really do not see the need for all this noise, talk and insinuations of dishonesty. As the hon. member said some time ago, that sort of thing does not do the community any good. He said it seven years ago, and I think he ought to say the same thing tonight. I have no other argument but that; if that is not good enough, well....

Hon. M. E. COX: Mr. Chairman, in seconding this motion I will draw to the Committee's attention that when I got up in this House on this Bill I referred to the 1951 Act in reply to what was said about the exchange of land at St. Philip. I remembered that some time either in 1950 or 1951 we had passed an amending Bill to the Executive Committee Act which gave the Governor-in-Executive Committee power to dispose of land by sale or lease as the Governor-in-Executive Committee think fit. When I quoted it first I thought I was quoting the 1950 Act, but incidentally I was quoting the 1951 Act. This is what the 1950-25 Act says:

Mr. BARROW: On a simple, elementary point of order, the existing law is the 1951-27 Act, and he is reading it in

1961, ten years later. In 1951 the 1950 law was repealed, so how can he get up and quote that as being the present position? Section 2 of the Act says that 'Section twelve of the Executive Committee Act, 1891, as contained in the Executive Committee (Amendment) Act, 1950, is hereby repealed and the following section substituted therefor.... That was repealed ten years ago and he is now getting up and pontificating that the existing position is the 1951 position.

Mr. CHAIRMAN: I think you are anticipating the hon. member.

Mr. BARROW: He said he made a mistake and that he read the 1951 when he should have read the 1950 Act. I am pointing out that the 1950 Act was repealed in 1951.

Hon. M. E. COX: Mr. Chairman, I am accustomed to these interruptions, so nothing he says can stop me. This was done by the Almighty and nothing like him can stop it. (Mr. WALCOTT: The Almighty does not know anything like you.) The 1891 Act was amended in 1950. Section 2 of that amendment reads as follows:-

"For Section 12 of the Principal Act, the following Section shall be substituted:-

'The Executive Committee may let any lands which they may possess for any term and on such conditions as they may think fit.' "

That is the one to which I was referring just now, but as I said, I made a mistake and quoted the 1951 Act. All I am trying to say in defence of the attack which was made upon the officer is that presumably a mistake was also made by the Officer who probably looked at the 1950 Act and not the 1951 Act.
11.10 p.m.

After I noticed that the 1951 Act said "with the approval of the Legislature", I put down this book and then I looked for the 1950 Act because I remembered that it was passed sometime between 1950 and 1951. In defence of the officer I believe that dealing with the same land, he might have by accident referred to the 1950 Act which gave the Executive Committee power to lease this land or exchange it or whatever the case may be, without reference to the Legislature. That is the point which I wanted to make just now.

Mr. WALCOTT: Now, the Hon. Premier in a very easy and nonchalant way sort of brushed off what I said as if we are some busybody people interfering with somebody else's business. He talks about the Legislature as if it is some innocuous body. The Hon. Premier is not speaking of the Legislature as if it is an important body, but as if it is here for the convenience of running a Government. In a democracy if you delegate your authority to a body, you must have confidence in it. But he is reversing the issue. I want to say, Mr. Chairman, that they are very famous for quoting me when I was on the Executive Committee. Let us get this straight about the Cave Hill land. I never agreed to the purchase of the Cave Hill land.

Mr. CHAIRMAN: I appeal to you and to the hon. senior member for St. Michael and to the Committee. You have already referred to it. I appeal to you. That matter is closed. Get back to the Bill.

Mr. WALCOTT: The hon. member said that if I felt that way about the Executive Committee, I should have resigned. I propose to deal with that. In 1953, I told the then Hon. Premier that I was going to resign. It was not over the Cave Hill issue, on the basis that the then Hon. Premier on the Executive Committee wanted to act in a high-handed way and I said to him that so far as I am concerned, he could let me go now. When the hon. senior member for St. Michael said that if I felt that way about the Executive Committee I should have resigned, he does not give the impression that at any stage the question of resignation did not occur to me. It occurred to me and he was one of the people who implored me around that time not to resign. I had drafted a letter which I had to send to the then Premier concerning my resignation and my wife told me that the wording of the letter was too

strong and that I should not send it. Of course, if I had a different wife, I may by now have been on some gallows.

In so far as the Cave Hill matter is concerned, it was not finalised until after I left the Executive Committee. It was finalised sometime in 1954 and I spoke against the matter in Executive Committee. I did not agree with it. I think it was sometime in 1954 when I spoke about the matter in the House of Assembly but I had spoken against it in the Executive Committee before. I say that because I do not want any member to believe that I did not speak against it before. What I said to Mr. Lewis, I would repeat. I could not defend myself against any charge which anybody made against me and it is the right of any hon. member to do what Mr. Lewis did. What I say now in relation to the Cave Hill issue is not anything which I have said for the first time today. I said so from the time the matter came up. I said that it should not be bought out of Labour Welfare money but that it should be bought out of funds of the Legislature. The Hon. Premier says that he does not see anything wrong with it. He has not yet explained to us why it is that he is coming and asking for a restriction from bringing those leases which do not exceed ten years. He is saying that you must have confidence in them. The Note says:

"As it is felt that the present requirement contained in the principal Act for all leases of public properties to be subject to the approval of the Legislature imposes an unnecessary restriction on the administration and wastes the time of the Legislature, clause thirteen seeks to provide that only those leases which are for periods exceeding ten years shall require such approval."

How can anybody look at Parliament as an unnecessary place for you to come to get the approval of a lease of Government land? The Hon. Minister thinks I am making fun when I say this. There was a time when Mr. Alder wanted the Government to buy Rosegate; because that particular member was not a member of the Government Party at that time, they said that they were not going to do anything to help the hon. member. They did not buy the land which I told them to buy at St. Peter; they went and bought some other land. You have it that the Hon. Minister of Communications made a statement to the House - which was untrue - that in so far as your selling agricultural land, they were not allowing you to sell agricultural land to be used for other purposes and subsequently it has proved that the Minister allowed people to sell agricultural land to be used for another purpose.

Hon. R. G. MAPP: Mr. Chairman, I rise on a point of order. The hon. member was not here when we covered this whole matter. Far from being untrue, that was absolutely true. He was not here; he should not say that when he does not know anything about it. Let him get the debate in which we replied to these charges and let him see what was the truth and what was the untruth.

Mr. WALCOTT: Sir, in 1959, the hon. member said that he was not going to allow Heywoods to be used for this project because it was agricultural land, and at that time the hon. member was well aware that negotiations were going on to dispose of that land otherwise. I said that statement by him was not true. When the hon. member made that statement, he was well aware that Heywoods Plantation was being negotiated to be sold other than for agricultural purposes.

Hon. R. G. MAPP: Before the hon. member makes himself more foolish, let him read the debate. We said so, and like anybody else, because of the advice we got we changed our minds. We changed our minds just as the hon. member changed his mind when at one time he talked in favour of the Government and now is doing otherwise.
11.20 p.m.

Mr. WALCOTT: Mr. Chairman, I have not lost the point which I intended to make. (ASIDES) I am looking after my living; you have to tell that to people people who look out for you! Do you think I am a lackey or a pimp?

Mr. CHAIRMAN: We are dealing with this Bill and therefore I do not see the point in going over the ground as regards Heywoods and Fordes.

Mr. WALCOTT: I am asking how can you expect me to have confidence in you? When Mr. Cadbury came here in 1959 he changed their minds. In 1959 when the Resolution was moved in this House, they knew that negotiations were going on for the sale of that land at Heywoods for purposes other than agricultural; the hon. member was aware of that. If you talk about confidence, I will take up any challenge to show that you talk in one way now and then you changed to the other way. They have changed their views on the question of how the land was to be used at one time; I know that the change came about when Mr. Cadbury advised them to use this land otherwise. When I moved the passing of the Resolution, the Premier said that he was bringing down Mr. Cadbury. Does the hon. member think that I do not know about what I am talking? Mr. Cadbury came down here in 1959 and left in March.

Mr. CHAIRMAN: You agreed with me that there was no necessity for re-opening that debate.

Mr. WALCOTT: This is a question of confidence. How can I have confidence in you when, at the time I brought forward that Resolution, negotiations were going on for this land to be used, not for one purpose but for another? When the hon. member spoke against the Resolution he was aware that negotiations were going on for the change. He can now make one of those shameless, heartless, reckless statements because money is his saviour.

Hon. R. G. MAPP: On a point of order. The hon. member is referring to the debate on that Resolution in 1959. I went to St. Lucy and said that we have to watch very carefully the position as regards agricultural land. The hon. member was not here when the debate took place on this project. The Premier, about the month of February or March, referred the matter to Mr. Cadbury and it was purely on Mr. Cadbury's advice that the Cabinet came to the conclusion that we would allow this land to be used for other than agricultural purposes.

Mr. WALCOTT: You cannot make a speech on a point of order. The hon. member is making a speech.

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

Mr. CHAIRMAN: Two hon. members are on their feet.

Hon. R. G. MAPP: I will get back to the point of order. When the hon. member, in the face of what I have said, still talks about dishonesty, he knows who is dishonest.

Mr. WALCOTT: If the hon. member says that I am dishonest, that does not worry me; but if I said that about him, that would worry him. The hon. member talks about his speaking to groups. The time will come for me to speak to his groups before the year is out.

Mr. CHAIRMAN: Let us get back to Clause 13.

Mr. WALCOTT: If the Hon. Premier says that it was a question of confidence, these are only instances to show that a question of confidence is something which has to be encouraged. It does not come about by just using remarks. The question of confidence does not arise because the land is already vested in the Executive Committee. You do not have confidence in the Legislature to allow the Legislature to retain what right it now possesses. The present Bill does not give to the Legislature the right to approve the lease of land; anyone should know that we approve of the leases which you make.

With regard to the Regulations we say that we have a right to approve such Regulations. When you talk about confidence, do you think that we are fools over here? I can see all the pressures and excuses for people being put in jobs when other people could not find employment for years. What super-qualifications have their brothers and cousins got so that they can get work over everybody else who has been seeking employment for all this time? Somebody knows that somebody is your son or your daughter....

Hon. L. St. A. THORNE: I am sorry that the hon. member has seen fit to refer to me.

Mr. WALCOTT: No Sir. That can refer to you but it does not specially refer to you.

Hon. L. St. A. THORNE: I have no relatives or friends to whom I have given jobs in preference to anybody else. I believe in merit; anybody who has any merit will receive consideration.
11.30 p.m.

Mr. WALCOTT: I have been seeing a lot of things going on around here; so I know what I am talking about. The hon. member talks about confidence, but I am submitting that the Premier's question of confidence is the other way around, because the Premier is taking away something from the Legislature which, from the point of view of confidence, is lacking on his side. The Premier says that there is a lack of confidence in the Legislature, because he is now submitting a Bill which takes away from the Legislature something which it now possesses; but it does not take away from the Cabinet what they possess, because the note says that these things create an unnecessary restriction on the administration, which means that the administration has to send to the Legislature on too many occasions and ask for leases; so in order not to have to legislate any longer for leases, we should let any lease in the first instance be for a period of ten years.

Now, I would like to ask the Premier to tell me what he is going to do with the Deep Water Harbour. You would expect, at this stage of our history with an important matter like the Deep Water Harbour and what is taking place there with the leasing of land, that Government would not want to take such a step. I know that some elements want the Government to dispose of the land at the Deep Water Harbour in a certain manner. The Government does not have enough experience as yet about the mercantile community and how the thing is going to shift, but already many people want to line up. As you can even see, before you have got your things done properly, the Jaycees want to keep a fair on the land at the Deep Water Harbour, though the buildings have not yet been set up.

Mr. Chairman, the members of this Chamber would be failing the community miserably in an issue like this at this stage if the collective wisdom of this whole Chamber is not brought in at an early stage to determine how the position is going to be disposed of. All I can see a back of this Bill is that you do not want to bring the measures from the Deep Water Harbour here. I know members of the Cabinet do not like to run to the House of Assembly; as soon as you do not want to come to the House of Assembly, where are you going to run? Why is it that you do not like measures to come to the House of Assembly? You should go and run for some fishing boat or in some boat race, or even go to Kensington and run so that nobody would worry you. If the members of the Cabinet do not want to come to the Legislature, then we are getting back to the same position in which we had to fight to get here. In the old days the ones who were in power felt that they could put around themselves all the protections to keep them in power and therefore you could not get in easily from the outside.

The Premier has not answered what is this unnecessary restriction on the administration. Let us look at it this way, Mr. Chairman. If somebody makes an application for the lease of land, the Cabinet makes the decision whether it is going to lease the land; so the administration has to perform its task in letting the Cabinet know. How is it that the five or six Ministers are more capable of determining if this lease should be made and not the Legislature? There is this gradual idea of the Executive Committee not letting the Legislature know about things. It is just like in another respect where the Minister of Communications said that I talked things about the Harbour business. You ought to be glad that people have a sense of responsibility. If you really think you can get people to do something and somebody else cannot get them to do something else, all you have to do is to let us have a challenge. You tell them to do something and let somebody else tell them not to do it and see who will succeed! You will get a rude awakening. How can the administration say that it is an unnecessary restriction on them to put a matter before us for our approval?

Mr. Chairman, the note states that it is felt that the present requirement contained in the principal Act for all

leases of public properties to be subject to the approval of the Legislature imposes an unnecessary restriction on the administration. We are passing constitutional changes and giving more power to the Cabinet, taking power away from the administration and taking power away from the Attorney General, and they have the brass to send a Bill down here saying that these things create an unnecessary restriction on the administration! We are the ones who have to go down in the by-ways and hedges and ask people to vote for us to send us here, and they can tell us that we are imposing an unnecessary restriction on Civil Servants! It means that we are inferior as a Legislature to the administration. What kind of authority are we going to have? Why do we have an election? How can you talk about the supremacy of the House of Assembly when we are not even supreme to approve?

I will show you, Mr. Chairman, how far the Government in power is going. When it comes to appointing people to Boards, we have the sad experience that they have the right to approve and appoint people. They do not want the appointing Bodies to say whom they should approve; they both want to approve and appoint. All I am asking, Mr. Chairman, is why should the Legislature not have the right to approve of a lease. The Premier has asked us to let them make a lease to ten years. Why should the criterion for determining the validity of letting the Legislature know if you are going to approve of a lease be based on the length of the lease? Is the length of the lease the determining factor or is it what you are going to lease? If somebody wanted to lease the Ministerial boxes, do you believe they would want to come here?

Mr. Chairman, with the Deep Water Harbour looming before me, I would be a traitor not only to the electors of St. Peter but to the workers I represent in the Trade Union to sit down here and give up their fundamental rights of knowing what is going to happen at the Deep Water Harbour *vis-a-vis* the leases that are going to be made. So far as I am concerned, I will remain here until tomorrow morning on this issue because it is in the interest of the people. For ten years this has been operating and it has nothing to do with constitutional changes; but at this stage when you are making constitutional changes and passing matters which are controversial, you are sticking in this Bill to amend the Executive Committee Act. You know that the Legislature is always very sacred about the powers which it possesses in respect of authority. You want to take away that authority by saying that it is a matter of confidence.

The hon. member said that in 1953 I said I had confidence in them. Yes! At one time Christ had confidence in Judas, too; but you do not think that he continued to have confidence after the situation with the thirty pieces of silver! So it is not a question of using words and phrases loosely; it is a question of examining the situation. 11.40 p.m.

Before 1953, I said things in respect of all the members of the Government - the Prime Minister of the West Indies, the now Premier, the Hon. Minister of Trade, the Hon. Minister of Communications - but since then, from 1956 I saw them in their true colours. I saw them in their true colours when they were trying to deprive me from getting a seat in here. There is no point of their talking of 1953. Let them talk from 1953 onwards. I am in here with them four square.

Mr. CHAIRMAN: Let us get back to the Section.

Mr. WALCOTT: Do you think that I can have any confidence in them? Confidence is something which is very precious. They talk of integrity but the only thing which they have not called me is a gentleman.

There is nothing which can make me depart from the standpoint which I have taken on this measure. I go further. When you hear this silence, it is that they cannot answer matters in a straight forward manner. You heard the Hon. Premier. He said that he does not see why it is that we should make all this fuss about this matter. Normally, he does not make any fuss, but I see tonight that he nearly broke a blood vessel. He finds it hard to distinguish between fundamental matters which strike at the root of parliamentary propriety as against matters which are for the Cabinet

to deal with. He does not see that this is something which should be discussed on a parliamentary basis. No matter what kind of Government Department you have, no Government Department can know anything about how Government property is to be disposed of. This is a matter for Parliament. They talk of having confidence in them as if it is their own property which they are trying to dispose of. They get on as if this Island of Barbados is their property or something which they have bought. The Hon. Premier talks as if this is something in his home. He has a breadfruit tree at his home and I am certain that I cannot go there and pick one of them. As a matter of fact, he has a big dog home which would eat you up. The property at the Deep Water Harbour is valuable property and the members of the Government want to sell it as if it is something which they carried there. They know already how they are going to dispose of the property there. The Hon. Minister has been going down in Chapman Lane and asking the people to give him a vote.

Mr. CHAIRMAN: Will the hon. member get back to Section 13?

Mr. WALCOTT: Sir, how can you have confidence in them in a circumstance like this? They are walking about like people who are mad and saying that they are responsible for the Provident Fund. Can you have confidence in them? They talk as if they have put their hands in their fob pockets and have taken out the money? Why should we have confidence in them when it comes to disposing of the land at the Deep Water Harbour when it has not come before the Legislature to get our approval? They say that they have to appoint a Deep Water Harbour Board and they come to you and tell you that they want a panel of names from you so as to pick out some person. We want to know why are you selling the land there. Do you want to dispose of the land there without the people's representatives having the right to say "yes" to what you intend to do? You told the people that you put me in here. You may have put me in here before 1956 but you have not put me in here after that. It is a quarter to twelve by the clock and I am ready to go on until a quarter to four because, so far as I am concerned, this measure is not passing tonight.

Mr. STRAUGHN: Mr. Chairman, we all are quite conscious that the Objects and Reasons do not form part of the Bill itself and I think that this paragraph to which hon. members are debating is the one unfortunate feature which is mentioned in the Objects and Reasons. It is precisely what hon. members are arguing about all the time. I have looked through the Bill itself and read the significant clause and it does not seem to imply what is stated in that paragraph of the Objects and Reasons. What is stated in the Objects and Reasons is, I think, an unfortunate implication.

I have said previously that if we had it clear in our minds what was the number of leases which were under ten years and what was the number over ten years so as to know how much time would be taken in discussing these matters, that information would help us a great deal. I ask the Hon. Premier if he could tell us if most of the leases were over ten years or less than that. I do not know if he has those statistics. The hon. senior member for St. Peter mentioned the Aquatic Club and only yesterday I heard that the lease for the Savannah Club had recently been removed. We certainly do not think that there is lack of confidence in the Government but there is that part of the Objects and Reasons which tells us that coming here with these matters is wasting our time and we should really get some information in regard to leases which come up for consideration.

Mr. CHAIRMAN: Before the hon. junior member for St. Lucy begins to speak, I would just like to make this comment. In connection with the quoting of the debate by the hon. senior member for St. Michael, I wish to say that I have perused the document and the words which were used by that hon. member in his quotation are the same as that in the document. The hon. junior member for St. John seemed to have taken objection to the word "property" but that is how it is stated in the debate.

Mr. WALCOTT: Mr. Chairman, you need not worry about that. I am capable of defending myself and even my

colleague. The hon. senior member for St. Michael has to quote me in defence of himself.

Hon. M. E. COX: Mr. Chairman, I beg to move that Your Honour do now report progress and ask leave for the Committee to sit again.

Mr. BRANCKER: I beg to second that motion; but before it is put, I would like to say that in regard to the offensive part of this proposed Section where we have been forewarned in the Objects and Reasons that the view of the administration is that bringing these measures of leases here imposes an unnecessary restriction on the administration and it wastes the time of the Legislature, it is an act of presumption, Mr. Chairman, for anyone outside.... 11.50 p.m.

Mr. CHAIRMAN: Is the hon. member speaking on Clause 13 of this Bill? There is a motion for reporting progress; the hon. member still has the right to speak, but I do not think he can deal with the Section now.

Hon. M. E. COX: I withdraw that motion.

Mr. BRANCKER: I was saying that it is an act of presumption for anyone outside of Parliament to suggest that the time of the Legislature is being wasted.

Mr. CHAIRMAN: I think that the hon. senior member for St. Michael would have to ask the leave of the House to withdraw that motion.

Hon. M. E. COX: All right, Sir.

Mr. BRANCKER: Mr. Chairman, I am trying to say for the third time that in dealing with this Section it should be obvious to every member of this Chamber that it is a serious attempt to derogate the power of Parliament by attempting to take away from the Legislature its inherent and long-standing right to approve of any lease of property by the Executive Committee of this island. It is a matter of grave impertinence for whoever is responsible for drafting the Objects and Reasons of this Bill to refer to the Section which we are now considering and state that there is an unnecessary restriction on the administration and an utter waste of the time of the Legislature. It is for Parliament alone to consider what is a waste of its time; it is not for any officer to suggest that the time of the Legislature is being wasted.

Mr. CHAIRMAN: I am sorry to interrupt the hon. member but this is what the Rule in connection with reporting progress says:

"A dilatory motion is a motion made for the adjournment of a debate or of the House during any debate or, in Committee that the Chairman do now report progress and ask leave to sit again or do leave the Chair."

The hon. member cannot discuss this Clause; he can give reasons for supporting the motion.

Mr. BRANCKER: I want the Government to have time to turn over this matter in their minds after hearing the discussion from this side in connection with this Section; I want the Government to turn over in their minds whether they should continue to persist with this Section. We cannot agree with it under no circumstances; we cannot at this stage of our history allow any attempt to take away the sovereign authority of Parliament.....

Mr. CHAIRMAN: The hon. member is getting back to the Section. The hon. member can give his reasons for supporting the motion which is before the House.

Mr. BRANCKER: My reasons for speaking on the motion is to give the Government more time to consider the points which we have made. Things do not sink into their minds as quickly as they sink into the minds of hon. members over here. Mr. Chairman, you seem to give the members over there more ability and intelligence than you yourself possess. On the question of constitutional changes,

the Secretary of State for the Colonies made it clear that he would support anything in which both of the main parties in this House were in agreement. That is why he said: "Hold off for the time being the matter of the representation of the Opposition in the Upper Chamber". That seems to have been completely overlooked by the members of the Government. This matter has not been the subject even of discussion; it has not been the subject of disagreement and it could never be the subject of agreement as far as we are concerned. This wording should not have been stuck into this Section in this ostentatious manner in the hope that it would escape our vision. Whoever is responsible for this draftsmanship is responsible for an unfortunate bit of work. It is an attempt to hide away something in a Bill which he thought would have been overlooked by a less vigilant Opposition. We must oppose this Section tooth and nail.

Mr. Chairman, I can hardly hear myself for the Clerk of this Chamber; it should be made known to the Servants of this House that they can be as guilty of interruption as any of the members who are opposite on the Ministerial Chairs.

I am saying that under no circumstances could we be expected to take this matter lying down; this is something which must meet our uncompromising and relentless hostility. It must be obvious to you that all they have to do is to give a lease for 999 years.....

Mr. CHAIRMAN: The hon. member is back on the Bill.

Mr. BRANCKER: I heard the Clerk say that.

Mr. CHAIRMAN: You heard more than I heard.

Mr. BRANCKER: I can hardly hear you for the Clerk of this House. (A VOICE: Order.) Who is saying "Order" now? Is that the Clerk?
12.00 midnight.

Mr. CHAIRMAN: You are giving your reasons for reporting progress, but you will have an opportunity to speak again on Section 13 which is the Section on which we are reporting progress. There is a dilatory motion before the House which you have seconded, and in giving your reasons for supporting it, you should refrain from going into details.

Mr. BRANCKER: I am pointing that the reason why I am supporting the motion is to give the other side an opportunity to consider that which they must obviously have overlooked. In respect of your managing the Committee, will you see that the employees of this Chamber take their proper seats and do not provide distractions when the House is in progress?

Mr. STRAUGHN: Is the Leader of the Opposition not shortening the amount of time the Government will have to consider the measure? The longer he speaks, the longer he delays the adjournment.

Mr. BRANCKER: A point of order can never begin by asking a question. I see that in the case of certain members you do not try to teach them, because you realise how difficult it is. Perhaps the Clerk could go around and tell the member that you do not start a point of order by asking a question.

Mr. STRAUGHN: Has the hon. member ever heard about a rhetorical question which is in fact not a question?

Mr. BRANCKER: Mr. Chairman, that is not a point of order and it is even a more futile attempt to hold up the debate. I understand that you are tired having the Clerk standing there behind you and would like to be rid of that embarrassment and discomfiture. If members feel like walking out, that is a matter for them; but I just want it to be clearly understood that on this particular section which we are discussing, it does not matter how many days we spend on it, because we cannot allow this to go through. If we did, we would be giving up our rights as members of Parliament in order that the Executive Committee would have the

powers which are vested in us when we are elected to represent the people of this island through the various constituents who sent us here. Let whoever is responsible for this phrasing of wasting the time of the Legislature understand that it is the Legislature and Parliament alone which decides when its time is being wasted.

The question that Mr. CHAIRMAN do now report progress and ask for leave to sit again was put and resolved in the affirmative without division, and Mr. SPEAKER resumed the Chair and reported accordingly.

ADJOURNMENT

The Order Paper having been fixed,

Mr. WALCOTT: Mr. Speaker, for some time now we have passed the Rules of the House, and I think it is a most unsatisfactory state of affairs that an important Chamber like this is really without the Rules of the House in a printed and bound form. I am asking that they should be in some form, and I am wondering if such an order has not yet been given by you, as they have not yet come our way. I saw the Clerk endeavouring tonight to find the Rules and bending back as many foolscap sheets of the cyclo-styled copy for the Chairman to see. I think it is an unsatisfactory state, and efforts should be made for the Chamber to have the Rules.

Mr. SPEAKER: The hon. member is perfectly correct. I have learnt that the indexing of the Rules is the present

hold-up. A copy has been produced by the Printer in a bound form, but I am as anxious as any other member to have a printed and well bound copy in my hands and in the hands of my colleagues. To date I have been unable to do so, but I hope the indexing will be soon finished. I understand that is the only hold-up.

Hon. M. E. COX: Mr. Speaker, in moving the adjournment, I would like to inform the House that it is the intention of the Government to meet on Tuesday and Thursday of next week. We have quite a few important Bills, and some of us will be leaving this island at the end of the month; therefore we want to get through these Bills before we go. I have discussed the matter with the Leader of the Opposition. (Mr. WALCOTT: That is your business.) I would like the hon. member to know that we must take charge of this; we do not trespass on his preserves in Probyn Street. He dictates that. We do not dictate; we run our affairs. (Mr. WALCOTT: Wise dictatorship is better than foolish democracy.)

I beg to move that this House do now adjourn until Tuesday, 25th April, 1961, at 12 noon.

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

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

12.10 a.m.