THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1961

HOUSE OF ASSEMBLY

Tuesday, 4th July, 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)*; His Honour Mr. L. E. SMITH, J.P., *(Deputy Speaker)*; Hon. R. G. MAPP, *(Minister of Communications, Works and Housing)*; Hon. F. E. MILLER, *(Minister of Social Services)*; Mr. E. St.A. HOLDER, J.P.; Mr. C. E. TALMA; Hon. D. D. GARNER, *(Minister of Agriculture, Lands and Fisheries)* Mr. C. B. SEARLES; 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 Tuesday, 27th June, 1961, have been printed and circulated amongst hon. members, and unless there be any objection, these Minutes will be taken as read and confirmed.

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

PAPERS LAID

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

Report of the West Indies Constitutional Conference, 1961.

Barbados Development Plan 1960-65.

Hon. D. D. GARNER: Mr. Speaker, on behalf of the Hon. Minister of Trade, Industry and Labour, I am commanded to lay the following:-

The Customs Duties (Materials for the manufacture of building components of aluminium) Order, 1961.

Hon. L. St.A. THORNE: Mr. Speaker, I am commanded to lay the following:-

Report of the Public Librarian for the year 1958-1960.

Hon. D. D. GARNER: Mr. Speaker, I am commanded to lay the following:-

Report of the Irrigation Board for the year 1960.

GOVERNMENT NOTICES

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

Resolution to approve the programme of development expenditure contained in the Development Plan 1960-1965.

A Bill to amend the Estate and Succession Duties Act, 1941.

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

Resolution to place the sum of $30,000 at the disposal of the Governor-in-Executive Committee to supplement the Estimates, 1961-62, Part II Capital as shown in Supplementary Estimate 1961-62, No. 7, which forms the Schedule to the Resolution.

Resolution to approve the sale of land at Temple Yard and the lease of land attached to he Cheapside Market, to the Caribbean Development Company Limited.

Hon. F. E. MILLER: Mr. Speaker, I beg to give notice of the following:-

A Bill to repeal the Bacteriologist and Pathologist Act, 1934.

Hon. R. G. MAPP: Mr. Speaker, I beg to give notice that the Oral Reply to Question No. 38/1961, asked by the hon. junior member for St. Lucy regarding the report of the Transport Board for the year 1959-60 is ready.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to give notice that the Oral Reply to Question No. 49/1961 asked by the hon. junior member for St. James in connection with the law of intestacy is ready.

Also, Oral Reply to Question No. 56/1961, asked by the hon. junior member for St. Lucy regarding the number of policemen who ceased to be members of the Force for the period 1.1.1960 to 31.3.1961 is now ready.

COMMITTEE OF SUPPLY

Hon. R. G. MAPP: Mr. Speaker, I beg to give notice of my intention to move the House into Committee of Supply at its next meeting to deal with the money Resolution of which notice has just been given.

BILLS READ A FIRST TIME

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that a Bill to amend the Estate and Succession Duties Act, 1941, be now read a first time.

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

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

On the motion of Hon. F. E. MILLER, seconded by Hon. L. St.A. THORNE, a Bill to repeal the Bacteriologist and Pathologist Act, 1934 was read a first time.

STATEMENT BY PREMIER CONCERNING AN AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF BARBADOS

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I want to make the following statement concerning an agreement between the Government of the United States and the Government of Barbados. It reads as follows:-

"In his speech from the Throne at the opening of the Legislature on January 10, 1961, His Excellency the Governor stated that workshops and trained craft teachers would be provided wherever possible in secondary schools. After the Third State of the Bases Talks in Port-of-Spain on February 10, discussions began with the Director of the U. S. Operations Mission concerning the provision of technical assistance during the U.S. fiscal year ending June 30, 1961, and it was finally agreed that such assistance should be directed to the construction of technical wings or workshops in the secondary schools for the teaching of woodwork, metalwork, and other general craftwork. The agreement was signed on 28th June, 1961.

2. By this Agreement the Government of Barbados will construct 10 buildings of a Total area of 24,000 square feet, fabricate furniture as specified and install equipment. The United States Government will reimburse the Barbados Government up to an amount of $167,000 (U.S), the estimated capital costs of establishing the workshops.
12.25 p.m.

In addition the U.S. Operations Mission will

(a) provide training courses for some teachers and pay costs of maintenance and travel in the U. S., the Barbados Government being responsible for fares only to and from the U. S.;

(b) make technical assistance available for the planning, organisation, and operation of the shops at times when such assistance is requested by the Government of Barbados;

(c) see to the purchase of commodities such as structural steel which in these agreements must be purchased in the U. S.

3. The Government of Barbados by this agreement undertakes in addition to construction work to transport supplies and equipment from Bridgetown to the sites of the schools, supply utilities to the buildings, construct any necessary pathways, and assume the responsibility for all operational costs, for example, salaries of instructors, materials and other recurrent costs.

4. It is to be noted that provision for the training of a number of craft teachers has already been made at Head XX (1) Item 35."

ORDERS Nos. 1 AND 2 POSTPONED

Mr. SPEAKER: The first Order of the Day stands in the name of the Hon. Premier. To resume Committee on a Bill to amend and consolidate the Acts of this Island relating to the Police Force.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, with regard to Order No. 1, I want to state that only yesterday morning I received a petition from the Police Association relative to this Bill; consequently, we have not had the time at such short notice to discuss the matters raised by them and I am asking that Orders Nos. 1 and 2 be postponed.

Mr. BRANCKER: Sir, far from opposing that request for leave, permit me to say that it will be useful that copies of this Bill be circulated to the Police Stations outside of Bridgetown for the Police there to read. These policemen do not have permission to go into the room where the Police Association meet. I can assure this Chamber of that.

Hon. Dr. H. G. H. CUMMINS: I just want to say that I will do my best to accede to the request of the hon. member: but naturally, in a thing of this sort, the Police have their Police Association which is a recognised and organised body; consequently, any points raised by the Association will be considered. I take it that it is somewhat similar to the Union, where you do not consult individual members but the points of the Executive or Administrative Personnel of these bodies will be given precedence.

I will do my best to accede to the request if we have these copies available, but I repeat that points made by individual members of the Force, unless coming through the Association, cannot be considered.

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

THE HOUSING AUTHORITY (PENSIONABLE POSTS) ORDER

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier: To move the passing of the following Resolution: Resolution to approve the Order entitled "The Housing Authority (Pensionable Posts) Order, 1961."

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, in this Housing Authority (Pensionable Posts) Order, 1961, provision is made for the pensioning of certain employees of the Housing Authority. Actually, the Housing Authority has made representation to the Government relative to certain posts which might be considered pensionable and Government acceded to their request.

I would say that this was done by way of an amount paid into the Treasury by the Housing Board. The offices affected are in the Schedule and they are Manager, Chief Executive Officer, Secretary to the Authority, Inspector, Housing Inspector, Self-Help Officer, Female Housing Officer, Architect, Chief Draughtsman, Drawing Office Assistant, Senior Sworn Land Surveyor, Sworn Land Surveyor, Chief Works Overseer, Works Overseer, Estate Supervisor, Purchasing Clerk, Accountant, Rent Collector, Loans Supervisor and Deputy Accountant, Secretary, Public Officers Loans Committee, Senior Clerk, Long Grade Clerk, Clerk and Stenographer Typist, Stenographer or Typist, and Messenger. I do not know if there is anything more I can add to that.

I beg to move that this Resolution do now pass.

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

Mr. BRANCKER: Sir, we are entirely in favour of the passing of this Resolution. As a matter of fact, my colleagues and I are looking forward to similar resolutions of this kind in respect of other posts which we feel should be made pensionable. We do not want to pass a resolution of this kind in respect of the Housing Authority and not at the same time recall that up to now the servants of this House are not pensionable. I hope that now the Hon. Minister of Finance is on the warpath in respect of the declaration of pensionable posts, he will also devote some of his time and attention to certain posts which are not now pensionable and that he will not omit the servants of Parliament. They are as deserving as anyone else. We keep them here sometimes until 6.30 a.m. after having met at 12 o'clock noon on the previous day and sometimes we make them meet every day of the week; therefore, in giving my blessing to this Bill, I am saying on behalf of the Official Opposition that

we trust this will be regarded as a precedent and amongst the next resolutions of its kind to reach this Chamber will be one in respect of the servants of Parliament.

Mr. WALCOTT: Mr. Speaker, in relation to this matter, I think the Government and the people of Barbados must get down to reality. We are talking very much these days of independence but it seems that we are not independent in our way of thinking: we still carry on the practice and way of doing things without examination of them.

Sir, I am not in favour of the present pension system because it is against reality and commonsense. You have a pensionable system in Barbados in which you make certain deductions. As regards the offices which you are making pensionable here in this Resolution, you bring these people here on a Pension Act in which you deduct 4% at any point and put it into the Widows' and Orphans' Fund, whether or not the officer is a man with a widow or orphan and the officers have absolutely no say in this matter. You do not know how much money is being collected, and when you leave the Service, you are not reimbursed with any money. It is a direct provision that the deduction is to be taken out of your money and you are not eligible for any reimbursement of any kind.
12.35 p.m.
There are no rules governing it and I will say that it is the most iniquitous system which could be in existence in the 20th century. You ask a man to make a contribution to something and you lay down no provision under which he will get anything, no matter what amount he pays in. If he is in that system for 25 years and does not get a pension, then he gets nothing. You do not ask people to make direct contributions to anything unless you have some rules governing the amount of money which they have paid up. People are called upon to pay four per-cent.

Hon. Dr. H. G. H. CUMMINS: On a point of order. Mr. Speaker, is the hon. member speaking generally or is he referring to this Resolution?

Mr. WALCOTT: These people will automatically become a part of your Widows' and Orphans' Organisation. The Pension Fund of 1947 makes it obligatory for anybody who enters it to enter the Widows and Pension System also. These people do not come within that category unless you make some provision to accept them. This Order is made under Section 9 of the Housing Act, 1955 and it sets out the posts in the Schedule which are to be declared as pensionable posts. I ask the Premier to say whether this is in accordance with the Pension Act. If it is not in accordance with the Pension Act, what is it in accordance with and what are the rules governing this pension? I make general mention of the Widows' and Orphans' system but I would like the Hon. Premier to understand what I am saying.

Dealing specifically with this question of the Housing Authority as set up by the Government, I want to know if it can meet and deal with people outside. I am taking this opportunity to let the Hon. Premier know that if anybody up there gets rude enough to think that he can interfere with people's rights, he is looking for trouble. The Secretary or the Acting Manager of the Housing Authority seems to think that he can pick out people and he can make a submission to the Salaries Commissioner. The Salaries Commissioner has asked for the view of the Union in a general way, but there are those carpenters and masons who are now in this matter and there is a gentleman who has called them up without calling up the proper organisation. You have a gentleman who is rude enough to pick out people and he has not asked the Union to express its views on this matter. The thing which has made the Housing Authority what it is, is money out of the sugar industry; and if this gentleman believes that he can side-step the organisation and hand-pick people, then we, in the Union, want to make it quite clear that he is looking for trouble. If it is trouble that the Department is looking for, we can give it to them. We can also give them co-operation if they want it, but trouble is not anything which we cannot give them. A hint to the wise is enough. This attitude that you are picking out one person and you are having a discussion with him on fundamental matters which affect a group, is something which cannot be allowed to go on. At any rate, we are objecting to this method and we will take up the matter officially.

These people here are people with whom we agree; these are not productive people; these are not producing any houses. It is the artisans, the carpenters and masons, who are producing the houses. These other people are getting the cream of the treatment and the productive people have been put on a casual basis. They are not personnel officers *per se* but they are given *ex gratia* payment. I hope the Hon. Premier will see that I am not objecting to this Schedule. I am a believer in social security. If this means that after a man has worked for an authority, a body or a private employer for a number of years, you have to provide him with some means in his old age, I am in favour of that. I am in favour that such persons who are responsible for that treatment should bear in mind that it comes from sources other than themselves. I do not like the idea that these workers have their own organisation and you would pick out Tom, Dick and Harry and consult with them. We represent ten thousand people in any given matter and I do not expect that somebody could deal with 10,000 people by sending them 10,000 copies of anything. You have sent copies to the Union and we utilised the machinery for allowing others to know; but we object to any Secretary or Manager of any Board coming along and picking out two or three people and completely ignoring the accredited representatives of the people even on the spot. I hope the Premier will see that in so far as I am concerned, it is a matter of principle. I quite agree with the Resolution. Some time ago we discussed the question of a Resolution dealing with these other people and it was said that you should take out 20% of the money.

As the Premier is also the Minister of Finance, I would like to draw to his attention the fact that the Housing Authority should be treated as a matter of nationalised industry. It should be treated as a public corporation should be treated and it should stipulate certain freedom to do certain things. Are these people Civil Servants or not? Are they working with the Housing Authority or not? Who can negotiate with these people? If they are not Civil Servants, they have the right to join a Trade Union other than the Civil Service Association, and who must deal with them? Is the Housing Authority the proper body to be dealt with? They have already accorded recognition to a Trade Union and in Barbados you will find that one minute something is a Board, the next minute it is neither one nor the other, but it is an independent set-up. Now that you have the Salaries Commissioner coming here, we want to be clear as to what the position is going to be. I want to say that we are not able to speak on behalf of these workers because they are not members of a Trade Union of which I know. They may have their own Organisation.
12.45 p.m.
I want to say that there is an attempt inside the Housing Authority to try and prevent people from challenging their freedom of association by not dealing with them. I will not say anymore. All I say is that anybody who is willing for a fight so far as the Trade Union is concerned, whether it is a political fight or an industrial fight, will have it. We are not going to postpone anything, compromise with anybody, or put up a white flag for the sake of peace. It is a fight you want, and it is a fight you will have; so if the gentleman over there wants to fight the Trade Union by using this method, he can rest assured that hearing from me today or any other time he will get any fight that he is in for.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I just want to enlighten the House on this question of the Widows and Orphans Fund with regard to the Housing Board employees. I think it has been extended recently to the Agricultural Credit Bank also. I cannot remember the exact percentage, but every month the Board pays into the Treasury a certain amount of money which will provide pensions for these officers when the time for pensions comes. It is not that the pension is taken directly from their salaries, and with regard to the Widows' and Orphans' Fund, it does not extend to them.

Mr. WALCOTT: On a point of order, I do not want the Hon. Premier to get the idea that I am getting mixed up. I am not suggesting that the pensions he is talking about are

taken out from their salaries. What I am dealing with is the Widows and Orphans Fund which is a deduction, and that is why I say that the Widows and Orphans Fund is a direct deduction from the emoluments of all pensionable officers. Four percent is taken out from their salaries, and the only persons from whom it is not taken are the policemen, though I understand that the new Pensions Act which was done for policemen now includes them, and 4% will be taken from them also.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, since the hon. member has said that, I do not think I need say anymore.

Hon. R. G. MAPP: Mr. Speaker, I am sorry I was not here before the Hon. Premier replied, but I went out in connection with an important matter. I did over-hear, however, one or two remarks which the hon. senior member for St. Peter made, and I think it is my duty to reply. I heard him say in the course of his speech that there are some persons on the Housing Authority who are opposed to Trade Union representation of the workers. All I can say is that this is the first time I have heard about it. I am not aware of the person or persons to whom he is referring, but he knows better than anybody else the official policy of the Government especially with respect to the Housing Authority. The Housing Authority is a Statutory Board and in its relation to the Government it enjoys and is enjoying certain privileges and rights which we accord to Bodies of that sort, and we are extending those rights and privileges as the present Bill will indicate.

Mr. Speaker, we have gone so far as to recognise Trade Union rights in respect of that Body by appointing no less a person than the President of the Trade Union as a member of the Housing Authority, and he has recently been reappointed. I want to say emphatically that we would not tolerate or condone any attempt by anybody to disregard the Trade Union rights of the representatives of the employees of that Board. It is a Statutory Board like the Natural Gas Corporation or like the Transport Board. The Transport Board workers are organised, and I state categorically, that it is due more to the policy of this Government and especially myself that they are organised in a democratic Union, and I say of the Board that it is not anything which can be used for a mischievous purpose. To say that this Government will condone anything which is anti-Union is giving the wrong idea, and I get up here to categorically say that that is not so.

Mr. WALCOTT: On a point of order, as the hon. member said, he was not in his place and I do not know if he can be as categorical about the matter as he wants to be when he was not present. He is saying that I said that the Government is anti-Trade Union. I do not think it is necessary for me to repeat something for the hon. member, but if he is going to be as categorical as he has been, I would not repeat what was said; I would just leave him there, because I am not going to be as categorical as he is in explaining anything. If that is his attitude he can keep it; because I am not going to make any special plea for myself or the Union. I said that the Secretary or the Manager or whoever he may be called people up to make representation on behalf of the workers, and did not call the accredited representative of the workers, though one exists; that has been reported to me up to yesterday. I did not say that the Government is anti-Trade Union; I used the word "Secretary", and that is why I say I will take the matter up officially and I can afford to tell the hon. member that that is the attitude we have taken. To say that I said that the Government is taking an anti-Union attitude is something which is foreign to me.

Hon. R. G. MAPP: The hon. member has misquoted me. I said that is the impression I gained. If I did not get up and categorically deny that our servants are carrying out a policy of that sort, the impression might be gained that we are condoning it, and I am categorically denying that. I started off by saying that I heard the hon. member say that members of the Housing Authority are doing this thing, and I categorically deny that we are condoning it or will ever condone it. So far as the accusation about not consulting the Trade Union over pensionable posts is concerned, I can only say.....

Mr. WALCOTT: On a point of order, I never said that we were not consulted about these posts with which we are dealing, because I said that these persons are not, as far as I know, members of the Union. I do not want the hon. member to say what I did not say. I made a specific point in relation to a specific matter, and I made a general statement in relation to general matters, in relation to pensions and in relation to general attitudes.

12.55 p.m.

I made a specific point in relation to one aspect of the matter.

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

THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER, 1961

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier: To move the passing of the following Resolution: Resolution to approve the Order entitled "The Civil Establishment (General) (Amendment) Order, 1961."

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this is a Civil Establishment Order and it provides for adjustments in the Civil Establishment.

The first office to be dealt with is that of the Staff Officer, Local Forces. We are in a position as regards the salary of this officer where there is an agreement that when these people come to Barbados from their Regiment Overseas, they should be paid the same salary and allowances and everything else which their counterparts get in their British Regiment. In fact, they should be paid in the same way as if they were in a similar position in their Regiment.

Quite recently, there have been certain allowances which have been upgraded in the United Kingdom and which by agreement applies to this officer.

I take the opportunity to say that we are hoping in the not distant future, as soon as the West Indian Regiment is very fully established and has a period of experience in acquiring certain technical knowledge, that this officer instead of coming from the British Army would be coming from our West Indian Regiment. As a matter of fact, the Government has taken steps in this matter already.

The next is the provision for staff of the Fire Brigade. We are asking for the creation of two additional posts of Leading Fireman at a salary of $1,704 - $1,992 and four additional posts of Fireman at a salary of $1,056 - $1,788.

In the case of the next, it is just to change the title of the post of Police Magistrate to that of Magistrate, the abolition of the post of "Clerk-Assistant Court of Appeal" and the creation of two posts of "Stenographer" at a salary of $1,020 - 1,440 or $1,200 - 2,016, for the Magistrates' Court at District "A".

As regards the abolition of "Clerk, Assistant Court of Appeal", the Assistant Court of Appeal has disposed of all the outstanding matters in its original jurisdiction and there is no longer need for the post of Clerk.

As regards the two posts of "Stenographer", representation has been made that in certain cases - not in every case - you should have a stenographer on a permanent basis.

We come now to "Senior Veterinary Officer" in the Department of Science and Agriculture. This Order is to allow the Senior Veterinary Officer of the Department of Science and Agriculture to engage in private practice at any time, but without prejudice to the satisfactory performance of his official duties and to retain full fees in respect of such private work.

Well, Sir, I suppose that it is generally known that certain professional officers are hard to keep and Veterinary Surgeons are included in that category. In order to retain

the person who holds this office, the Government had to agree to an arrangement of this sort. It did not exist before: but as I have said, these officers are not easily acquired and there was a particular country not far from us which was making overtures to this officer, and in order to retain him the Government had to come to an agreement of this sort or he would not remain. There are two now but if he had left at that time, we would not have had anybody at all.

We come now to the Department of Medical Services. This Order is to create the following additional posts for the District Hospital at Oistins. As hon. members will remember, this Hospital began on an acting temporary arrangement, but since it has become a success and is being patronised, it is only fit and proper that the posts be established.

The posts are: One Sister at a salary of $1,824 -$2,400, two Staff Nurses at a salary of $1,260 - $1,596 and four Midwives at a salary of $912 - $1,200.

The Mental Hospital comes under this Department and this Order is for the abolition of one post of Male Nurse at the Mental Hospital.

We come next to Crown Solicitor. On account of his duties, he is asking for a person of a higher calibre than an ordinary steno-typist. He is asking for the replacement of this post by a post of Secretary at a salary of $1,728 - $2,400 because the post is of a more responsible nature and by so doing, he will be able to get someone who can handle certain things in that Department that an ordinary steno-typist cannot do.

Those are the changes and I beg to move that this Resolution do now pass.

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

Mr. TALMA: Mr. Speaker, I agree in a general way: but nevertheless the proposal so far as Senior Veterinary Surgeon is concerned needs some attention being drawn to it. I feel, Sir, that this preferential treatment as it is should not be given to any one officer alone; but if the principle is to allow the Veterinary Officers as such to be granted the right to undertake private practice owing to the dearth and scarcity of such officers in the Caribbean and owing to the unattractive salaries which are offered by Government usually. I am suggesting that this facility, privilege or concession should not be granted to the Senior Veterinary Surgeon only but to all Veterinary Officers in the Government Service.

1.05 p.m.

Why should he be singled out for this treatment? There are two Veterinary Surgeons. One happens to be senior to the other by virtue of age, but in many cases he is not better qualified. Therefore why should the Junior Veterinary Officer not be granted the right of private practice whereas his counterpart who, only by virtue of age or term of service, is being given the right to practise and to take all the fees? The note which was read by the Hon. Premier states this:

"There is an acute shortage of Veterinary Surgeons in the Island and unless livestock owners can obtain veterinary services when required, the development of livestock may be considerably impeded.

The provision of private practice will aid in the recruitment and retention of qualified personnel as some of the other unit territories allow private practice to their veterinary officers."

It seems to me that the practice should be to grant all of them these facilities. I would like to hear the Premier say whether or not there is a shortage of staff in the Department. If there is a vacany, what is being attempted here will be in order, at least to some extent. On the other hand, you are granting preferential treatment to one individual and ignoring the claims of other officers so that an injustice would be meted out to others who are just as qualified as the senior officer is himself. You cannot single out an individual and say that he should receive full fees from his private practice and allow him to engage in private practice at any time but without prejudice to the satisfactory performance of his duties and retain full fees in respect of such private work. I am saying that there are other officers in the Agricultural Department who are duly qualified veterinary officers. For instance, the Superintendent of the Market is a duly qualified veterinary officer and I would like to ask the Hon. Premier if this facility or right or privilege would also be extended to him or to the Junior Veterinary Officer at the Central Livestock Station. I cannot see why you should single out one particular individual for this treatment and leave out others, although you admit that there is a shortage of such officers and that in order not to impede the promotion of livestock such services are necessary. I want to know if this provision will be made a term or a condition of employment; I want to know if, in recruiting such officers, one of the terms and conditions of employment will be that they will be allowed to carry on their private practice and receive the full fees resulting therefrom.

Mr. Speaker, I see that the Officer will not be allowed to use the Government facilities for the purposes of private practice. Well, Sir, that is child's play. Who is going to be the watchman, the Minister? Who would be at the Central Livestock Station at morning, noon and night to watch the Senior Officer in order to see that he does not use any instruments which are used in the performance of his duties in the private practice which he undertakes? Is it not a natural thing, if it is not done at the respective people's homes where the animals are, that the animals will be brought to the Central Livestock Station to the officer for the performing of certain delicate operations? I want to make my position perfectly clear. I feel that the Officer in the final analysis, should not be debarred from any facility in assisting and performing his private duties as creditably as he would have done in his post as Government Veterinary Officer. In other words, if the Government had provided some new instrument which the Officer may not own, I do not see any reason why the average person who is a taxpayer and who is paying for the services of this Veterinary Officer should not receive the benefit of any facility which has been provided by the Government.

While agreeing with this proposal, I would like to see such a proposal extended to include the Junior Veterinary Officer and the Superintendent of the Market, both of whom are duly qualified veterinary surgeons employed in the Government Service in the Agricultural Department. Unless a suitable explanation is given as to why these Officers have been excluded and debarred from having these facilities, it show how the Government functions. The Government is granting preferential treatment to one group of people.

Hon. Dr. H. G. H. CUMMINS: On a point of order. Mr. Speaker, I cannot stand that. I said that this provision was being made so as to retain this Officer. It is not a question of giving preferential treatment to this Officer; you either want this gentleman or you do not want him. If you do not want him, you do not want him.

Mr. TALMA: The hon. member does not seem to understand what I am saying (Hon. Dr. H. G. H. CUMMINS: No, I don't.) Is this officer the only Veterinary Surgeon in the island? I am saying that the other officers should be given the same right - as you are giving this Officer. This is preferential treatment. Does the Hon. Premier not like the word "preferential"? I repeat that this is preferential treatment in that there is more than one Veterinary Surgeon qualified and only one is being given this right. This is a clear case of preferential treatment.

1.15 p.m.

When I made the point about preferential treatment, the Hon. Premier jumped up, but this is a clear case because all the Veterinary Surgeons who are employed in the Government Service in the Agricultural Department are not being given the right; only one is being given the right. What about the other two? Unless this right or privilege to undertake private practice and to hold all the fees for himself is extend-

ed to all Veterinary Surgeons in the Agricultural Department, I should have to ask why this Officer has been singled out. To come and say that he has asked for it because he feels he has the Government in such a position that they cannot do any better is all right, but in like manner the services of the other Veterinary Surgeons are necessary too, though they may be a bit timid in coming forward. If you want to regularise and do everything in the right way, you should allow all the Veterinary Surgeons who are in the Agricultural Department - and all of whom are in great demand - to be granted the same privilege and right of private practice, and not grant any preferential treatment to one and exclude the others.

Hon. D. D. GARNER: Mr. Speaker, I am sorry for the hon. member who has just sat down. He has misinformed this Honourable House. There is only one Veterinary Officer now in Barbados so far as the Government is concerned.

Mr. TALMA: Mr. Speaker, on a point of order, the Hon. Minister is usually not *au fait* with his files. The Superintendent of Markets is a qualified Veterinary Surgeon. Let him answer that. I knew during my term of office that he was a duly qualified Veterinary Surgeon.

Hon. D. D. GARNER: For the hon. member's benefit, the Superintendent of Markets is no longer employed with the Government. His contract has ceased and he is only holding on temporarily until the other gentleman comes back; so the hon. member is not *au fait* with what is going on in Barbados.

Mr. TALMA: Mr. Speaker, I object to that expression. If the Officer is doing the work still, how am I to know if his contract is on or off?

Hon. D. D. GARNER: Mr. Speaker, the Superintendent of Markets has never been employed by this Government in the capacity of a Veterinary Surgeon. He was Superintendent of Markets as such. (Mr. TALMA: That is not the point.) That is the point. He has never been employed by Government as a Veterinary Surgeon, and for Your Honour's information the Veterinary Officer left Barbados long ago because we were unable to pay him. You do not walk about and pick up Veterinary Officers; they are technicians and unless you give them certain conditions they are not going to stay with you, and that is why this has been brought down. What I would like the House to know is that the hon. member - I do not believe he has done it wilfully - is not keeping abreast of what is going on.

Mr. TALMA: On a point of order, the hon. member is trying to be funny in the usual way. Why did the Premier not say that there is only one Veterinary Officer in the Government Service at present? (Hon. D. D. GARNER: That is for me to say.) If he does not know what is going on, how can I?

Hon. D. D. GARNER: Mr. Speaker, I am not going to talk out anything with the hon. member because he is not keeping apace. What has happened is that this member of the Staff was offered far more lucrative employment elsewhere. We saw all the correspondence.....(Mr. TALMA: I said all that.) I am speaking to the House, I am not speaking to you. We saw the correspondence and we had to do one of two things: either ask to do this here or let him go and get more money. You do not pick up Veterinary Officers; they are not knocking around the place. Two or three came in to have a meeting with me and their conditions of service and pay are less than what other men are getting. That is what Barbados would have to face with regard to technical people. They do not see Barbados as a small 2' x 6' or 1' x 4' island and therefore you have to pay them what they want. If you do not pay them what they want, they can go to Sierra Leone or Ghana where they will be well paid. We have not got the resources to pay them and that is why we have brought this Resolution to grant him these facilities.

When this first came to me to give him fees, Mr. Speaker, I had to sleep over it a very long time because it is unusual; but we either did that or be without a Veterinary Surgeon.

Mr. TALMA: On a point of order, I agree with all the hon. member is saying and he is more or less endorsing everything I have said. All I am asking simply is why do you not include under the Civil Establishment Order under XVIII - Department of Science and Agriculture, Senior Veterinary Officer and also Junior Veterinary Officer.

Mr. SPEAKER: I must point out to the hon. senior member for Christ Church who has just sat down that he is really asking the Hon. Minister questions; he is not making points of order.

Mr. TALMA: Mr. Speaker, I am suggesting that if the Hon. Minister wants to carry through what he is saying, he should include the Junior Veterinary Officer in this Order so that in future he will have both covered. This is only to attract the Senior Veterinary Officer; so the other one will not be attracted to the vacancy.

Hon. D. D. GARNER: Mr. Speaker, there is no Junior Veterinary Officer at the moment. We have been trying to get one for a long time, but what the hon. member has said will in itself pose a problem when the time comes. Let me put this to you in a direct way. You will have a Head of Department who is allowed to get fees and you will also have a junior man who is allowed to get fees, and both will rival each other to get certain work. That is a problem we will have to take care of administratively after a while. We have done it in this case but have not yet decided what is the policy so far as the junior man is concerned, because I can see other problems in that. The Head Veterinary Officer is allowed fees and goes out on cases. I must make the point that this Senior Officer has all of his equipment, tools, and what not; he has been working before he came here and has these things; therefore he does not use the Government's. If the Junior comes and does not have his tools, he has to use the Government's. That is a thing for the future and we have not yet decided on it.

We have been faced with this problem, Mr. Speaker, and we are trying to solve it by bringing this Resolution to this House. When the time comes, we will deal with that; but I want the House to know that we have one Veterinary Officer. Some time ago in Trinidad I looked up one and tried to get him; he is a Barbadian who is now working in Canada. He dropped in three or four months ago and said that he is so happy in Canada that he cannot afford to come to Barbados. We cannot employ him because we have not got the economy. He is working for big money over there; so in order to get somebody or hold this gentleman, we have got to do this.
1.25 p.m.
This is not the sort of thing for a group. We are doing this in the interest of the stock-holding people in Barbados. We realise that if we do not do this, we would wake up one morning and find ourselves without a Veterinary Surgeon. This is for only one person. Dr. Raeburn who was once employed at the Market is not employed by us any more. He is just holding on there.

This is no threat. The person for whom we are doing this is a Barbadian and has his family here. He has his roots here. I saw the correspondence and I can bring it and show you that he was offered a far higher salary than what we are paying him. We could not pay him anything more because it would be out of relation with what other professional people are getting here. We therefore think that this arrangement is the best means of doing it in order to hold him.

Mr. WALCOTT: Mr. Speaker, I want to make a different point from the Hon. Minister. The Hon. Minister of Agriculture has not said anything new. This is a matter of principle; therefore I do not think that the Minister should have gone on repeating that this is for one. If the blind wants leading, you must lead them. When you say that this is to allow the Senior Veterinary Officer to engage in private practice, when you use the word "Senior" it means that you have more than one officer of this calibre. What the hon. senior member for Christ Church was saying was that you have more than one Veterinary Officer and from what the Hon. Minister of Agriculture has just said, it means that you have to give this concession whether you like it or not. Whether you like the word "preferential" or not, it means

that you have to give this facility to Veterinary Officers in order to retain them: and if that is so, it means that this is something which must apply to people of that professional category.

The same argument which the Hon. Minister used was used by the doctors at the Hospital. What are you going to do if you do not get scavengers to go into the dirty places? This Veterinary Officer was not asking for anything new. He was only adding on to what you have to face. This thing started off with the Teachers. They wanted a little more money for the degrees they hold.

You have all this talk about the Senior Veterinary Surgeon being a Barbadian but that is all moonshine. A man lives in Barbados because he wants to live in Barbados. We have people living here who are not Barbadians and we have Barbadians living in Canada because they like to live there. Mr. Leacock came here as a Surgeon Specialist at what salary we offered him, and then he left the Island again. When he came back you had to give him fees along with the salary which you were paying. At that time, you did not start to give the Radiologist fees but later you had to give the Radiologist fees and then you had to give them all fees.

What the hon. senior member for Christ Church was saying was that if you give this facility to the Senior Officer, then you must give it to all the others; that is to say, if you have two posts of Veterinary Officers, you should not think of giving it to the Senior Veterinary Officer only; you should give it to the other officer also. What you are going to get is that this next Officer will tell you "I will accept the post if I am offered fees and if you offer the Senior Officer and you do not offer me, I will not accept the office."

Now, Mr. Speaker, the Government has come down here some time ago with a Resolution to bring Mr. Jacobs here and in that Resolution they said that his terms of reference were to examine the structure of the Barbados Civil Service and review the remuneration of all public officers and Government employees and to make recommendations having regard to the needs of recruiting suitable qualified administrative, professional and technical officers.

Now, Sir, with that before us and Mr. Jacobs in the Island, and your sleeping over this so long, why do you not allow him to dream on it? Let him bring a practical recommendation to you about this matter. If any of us had brought down a Resolution similar to this, with Mr. Jacobs here to investigate and make recommendations on such matters, members of the Government would have told you that Mr. Jacobs is here and that they cannot pass it; let Mr. Jacobs deal with it.

What is your urgency to go through with this exercise today and then when Mr. Jacobs makes a recommendation, he says "oh, no, he has another view. He recommends a house allowance." I rise to say this in respect of all these Civil Establishment Orders which you have here for the creation of more posts with the exception of those for non-consequential things. Why should you think of doing this in July when you have your Salaries Commissioner here and he is here for three months? You tell him that you want him to examine the service and make recommendations and yet you are passing legislation while he is here to create more posts. From a practical point of view, the Government should hold all these things in abeyance and allow the Salaries Commissioner to give him a review on all these things. This is not an emergency; you do not have a hurricane. I do feel that this is not a matter which anyone should hasten and I think from a logical point of view – and I am not in any way repeating a Trinidad calypso – that all these Civil Establishment Orders which interfer with your structure should be held in abeyance and await the recommendation of your Salaries Commissioner.

Sir, I do not like the phrase which hon. members use that you cannot pick people up. That breeds an inferiority complex. Whom can you pick up? When certain jobs are more plentiful than others, does it mean that you can pick the people up? All jobs call for a certain amount of training. A Veterinary Officer is important if you need one, but no matter how scarce they are and you do not need one, it is not important to you. A doctor is important and at times he is not as important as at other times. In cases of illness he is of extreme importance but if you go to a hotel you do not want a doctor, you want a band leader. Bringing a doctor there would only spoil sport. Therefore, Sir, you have to view everything within its own context.

1.35 p.m.

The hon. member talks about the officers threatening people. I do not believe that any officer needs to threaten you. If it is difficult to get a man to do a job, the man knows that. Why should an officer bring a letter to you? No officer of the Crown has to show any Minister any letter than he is getting a job; where a man is leaving a job or is not leaving it is not a matter for the Minister. The man is employed by the Public Service Commission, and if he is leaving a job, then he is leaving it. No qualified man has to go to any Minister to show him any letter. Who is the Minister that you have to show him a letter? If a man is resigning from the Service he is resigning from it and you want to retain his services, you retain them. The Ministers have an inflated sense of their importance; since they have become Ministers, they have the idea that somebody is at their feet, that they are giving life. Where does the question of somebody showing the Minister a letter come in?

Hon. D. D. GARNER: On a point of order. I never gave the House that understanding. I have never felt inflated. My feet are sound on God's earth. What I said was this; the gentleman came to show me how he was offered a certain post which was far more lucrative than the post he is filling in Barbados. If he said he wants to remain here because his roots are here, well, he brought the letter from a certain firm to show me, perhaps in my private capacity. It is not that I could employ him. This respect which certain people have for Ministers should not be broken down by anybody, although respect for them would put people at their throats. There is nothing in the man bringing a letter to a Minister so what is the hon. member talking about?

Mr. SPEAKER: Do not let us dilate on that. The Minister rose on a point of order and made reference to a letter. He rose on a point of order to explain what he meant by what he said. I think we are beyond that now.

Mr. WALCOTT: It is not any business of ours to know if someone brought a letter to the Minister and regard that as respect. That has absolutely nothing to do with respect. Is there anything disrespectful if nobody brings a letter to show you? Is it symbolic of any respect that people have for you to bring a letter to you?

Mr. SPEAKER: We do not want to have a lecture on respect; let us get back to the matter which is before us.

Mr. WALCOTT: But the hon. member lectured on it to show what people try to get others to do. As long as I am in here and they are allowed to lecture, I will lecture too.

Mr. SPEAKER: I would not say that. The hon. member made one reference not so long ago and I said that he has passed the point of order. Lecturing on respect is just a waste of time.

Mr. WALCOTT: I am here to debate and if the Speaker regards it as a lecture I am sorry for that, but Your Honour will have to bear with it.

Mr. SPEAKER: The hon. member knows better than that.

Mr. WALCOTT: If my speech is a lecture, I have no intention not to speak.

Mr. SPEAKER: The hon. member may speak and not lecture at all.

Mr. WALCOTT: It is purely a matter of interpretation. I am saying that the man going to the Minister and showing him a letter has nothing to do with this matter. The hon. junior member for Christ Church made the point that all officers as Veterinary Surgeons should be treated in a similar manner, and before the Minister said what the position is, he brought up this question. All I am asking is that if this Officer is getting fees and the other people are not allowed to get fees also, what is the reason for that? I want to know why are you now seriously engaged with this matter, when you have asked Mr. Jacobs to go into the matter of the salaries? I will give you an example: Dr. Halliman had one point of view at the Hospital with regard to the allowances, Mr. Godsall also had his point of view and so had Mr. Adams. At one stage, one of them said that you should allow people to have rent-free houses, another said you had different salaries and yet another said that in Bechuanaland, Mozambique and in other places they give people these things and we should give them too. All I am saying is this: why not allow Mr. Jacobs to deal with this matter? Do you expect to have any professional man that you can pick up? If prices are cheaper, the Government has not struck on the idea that all countries are now trying to make incentives, to provide more agricultural scholarships so that when these people are available they will come back to you. It is not a question of picking up anything because if you expect to pick up things you will expect somebody to do that job for you. You have cheap labour at 30 cents and 35 cents an hour so that you have to make use of cheap phrases. In full employment you do not use cheap phrases.

Mr. Speaker, there are two answers to this question: the first one is that you should allow Mr. Jacobs to examine your whole structure as you said you wanted him to do, and make recommendations. The second answer is that it is a matter completely for you if you want to stop picking and offer scholarships for boys in certain classes and ask them to come back here to take up jobs. They would be the answers to your problems.

1.45 p.m.

If you give a John R. Bovell Scholarship once a year and hope to get one from that, you will always be in that position. In a matter like this, from what difficulties Government say they are facing to retain these officers, and from what they have asked Mr. Jacobs to do, it is for the Government and not for members of the House to have put this matter before Mr. Jacobs, and not tell us of these problems. These are the problems they are paying Mr. Jacobs $9,000 to see about, and I do not see, if you are paying out $9,000, why you do not let the person to whom you are paying that kind of money advise you.

Mr. CORBIN: Mr. Speaker, there are a few remarks I would like to make on this Resolution which is to allow the Senior Veterinary Officer to use the Government's facilities for purpose of private practice. I am glad, Sir, that we have an Officer with such qualifications who can be used both for public as well as private practice. One of the things that struck me while I listened to the members who spoke on this Resolution was the matter of instruments which the Officer will have to use. I think it is mean to bring such words into operation, because I realise that any officer in this island whether at the General Hospital or any other Department in any serious case, whether it be man or beast, should be able to use the Government's instruments to save the life of that man or beast. I think it is very narrow that we should be talking about the instruments which the Officer should or should not use, because any instrument which could be used to save the life of an animal should be put at his disposal.

We realise that there should be a Veterinary Officer in this island, without whom we would not know how our cattle would survive. I therefore fully agree that the officer should have the privilege to work privately, and I feel that the Government should grant to this Officer any facilities which would be of benefit both to man and beast in this island.

Mr. BRANCKER: Mr. Speaker, if it is necessary in order to encourage veterinarians to practice in this island to permit them to take private practice, it may well be equally necessary for the purposes of their private practice that certainly on occasions and certainly in respect of certain instruments that they be permitted free of use such facilities as Government has provided, because they may be unable to perform certain operations or do certain things without the use of instruments which it might not be convenient for them to carry around or which they might not be able to purchase as they go from place to place or contract otherwise. It may be a different thing entirely, Mr. Speaker, if you are talking about things such as drugs, because if you are getting paid for a private case and if you are supplying drugs, you should charge sufficiently to compensate you for the cost of those drugs, because drugs are things which are consumed. The instruments, however, are of an entirely different nature and I see no reason at all why such facilities as Government would have for veterinary service for the Government of this island, even though at a particular time a particular case is in respect of their private practice, because the Government is allowing private practice and there seems to be no reason why these people should not be allowed to use the instruments of Government for and in the course of their private practice.

What the hon. junior member for St. Philip, the Minister of Agriculture and Fisheries, made one feel very concerned about, was his reference to the scarcity of these Officers and the fact that so far as we have been told the Government had made no attempt by virtue of a long-term policy to offer scholarships for the training of local people who may be qualified as a result of their school education and who may be interested in taking Veterinary Surgery as their profession. We have Medicine, Law and Dental Surgery, and there is no reason why facilities should not be offered by way of scholarships to people who might like to embark on this obviously lucrative profession. I would suggest if it has not occurred before not to delay in taking a decision to ascertain whether the U.C.W.I. can offer such training and the cost of such, and to advertise for a limited number of scholarships for people who under the qualifications would be forced to come back to this island for a period of not less than ten years.

Mr. Speaker, that seems to be the only way to deal with this shortage by providing training for people and encouragement. I have no doubt that for training provided by means of scholarship, we would be well repaid in a few years, and certainly there would be no shortage of volunteers for the purpose of taking such a course.

As to the other matter in connection with the permanent post of Stenographer at the Magistrates' Courts, I entirely agree that these posts should be of a permanent nature, and my only quarrel with Government in this respect is that there are at District "A" which is the subject of this discussion four Magistrates, but there are only two typists for the work of the four Magistrates' Courts. That number is inadequate; there should be one typist per Magistrate. Even if there are not four typists to four Magistrates, certainly the very minimum we can do – for all three work continuously and none go on holiday and none get sick or go on casual leave – in order to keep work up-to-date and in order to prevent them lagging behind, the absolute minimum is three working continuously, and it would therefore follow that in future appointments – and I hope in the immediate future – in respect of Stenographers to the Court be of a permanent nature as it is proposed making the work of the people who are doing such excellent work at the Courts at District "A".

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

1.55 p.m.

THE PENSIONS (PENSIONABLE OFFICES) (AMENDMENT ORDER)

Mr. SPEAKER: Order No. 5 stands in the name of the Hon. Premier: To move the passing of the following Resolution: Resolution to approve the Order entitled "The Pensions (Pensionable Officer) (Amendment) Order, 1961."

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, Order No. 5 is another Civil Establishment Order. This Resolution is

to give effect to the Order entitled the Pensions (Pensionable Offices) (Amendment) Order, 1961, made by the Governor under the provisions of paragraph (a) of subsection (1) of section 2 of the Pensions Act, 1947, which has been laid on the tables of both Houses of the Legislature.

SUSPENSION OF SITTING

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

On resumption,

Hon. Dr. H. G. H. CUMMINS: 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.

REPORT OF TRANSPORT BOARD

Mr. SPEAKER: Question No. 38 asked by the Hon. Leader of the Opposition.

Mr. BRANCKER: Mr. Speaker, I beg now to put that Question which is to enquire of the Hon. Minister of Communications, Works and Housing:-

Has the Transport Board yet submitted to the Governor-in-Executive Committee its Report for the immediate past financial year, in accordance with Section 10 (4) of the Transport Board Act, 1955 (1955-37)?

2. If the answer is "Yes", will Government without delay, cause a copy of such report to be laid in accordance with the provisions of the said section?

3. If the answer is "No", will Government take all necessary steps to ensure due compliance with the Act by this Board?

Hon. R. G. MAPP: The Reply is as follows:-

The Report has been submitted to the Governor-in-Executive Committee and copies have been laid in the Legislature in accordance with Section 10 (4) of the Transport Board Act, 1955 (1955-37).

Mr. BRANCKER: Mr. Speaker, while thanking the Hon. Minister for his reply, will the Hon. Minister state what date was a copy of such report laid?

Hon. R. G. MAPP: Copies were laid on the 25th April, 1961.

Mr. BRANCKER: Is the Hon. Minister aware that that date is beyond the date for which the law makes provision, and will the Hon. Minister take steps to ensure that in future the report will be laid within the time limit prescribed by the Legislature?

Hon. R. G. MAPP: Mr. Speaker, I am aware that this is so, but I am aware also that since the advent of the Board, it has been always so: and personally I think the law should be altered in that respect. However, Ministers always see to it that the law is carried out.

Mr. BRANCKER: Will the Hon. Minister undertake to let the Transport Board know in no uncertain terms that Parliament requires that the law be complied with even though there should be a change in the law, and although there may be precedent for contravention of the law?
2.35 p.m.

Hon. R. G. MAPP: Reports of debates as to each question are forwarded to these authorities.

Mr. BRANCKER: Will the hon. member undertake that such reports will not be the subject of such delays as the Statement and Accounts of the Transport Board are in respect of their publication?

Hon. R. G. MAPP: That question is irrelevant.

Mr. BRANCKER: It is for Your Honour only to say what is irrelevant.

Mr. SPEAKER: Will the hon. member repeat his question?

Mr. BRANCKER: In respect of the forwarding of the reports of the debates on questions or answers to questions in this Chamber which the hon. member says are duly forwarded to the appropriate Boards and authorities, will he undertake to give us an assurance that such reports of debates are forwarded without the delay which is associated with the laying of the accounts of the Transport Board on the Table of Parliament?

Mr. SPEAKER: That question is not irrelevant; it can be answered very easily because it has come directly from information given by the Minister. It could not be irrelevant. Is the Hon. Minister answering? *(After a pause)* The Hon. Minister declines to answer.

DISTRIBUTION OF ASSETS TO CHILDREN OF DECEASED PERSONS

Mr. SPEAKER: The next question ready to be dealt with is Question No. 49 standing in the name of the hon. junior member for St. James:-

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

Is the Government aware that the legal position in Barbados still is that on an intestacy the eldest male descendant of a deceased person inherits all the real estate?

2. Will the Government consider the early introduction of legislation to provide for a fair and equitable distribution of the assets of a deceased person among all of his children?

Hon. Dr. H. G. H. CUMMINS: The replies to the hon. member's question are as follows:-

(1) Yes, Sir.

(2) The Government considers that the law with regard to succession on intestacy should be changed and will turn its attention to this question at the earliest opportunity.

Mr. SEARLES: Mr. Speaker, I am pleased with the answer which has been given by the Hon. Premier and I do hope that the legislation will be introduced at the very earliest date.

RETIREMENT FROM LOCAL CONSTABULARY

Mr. SPEAKER: The next Question ready to be dealt with is question No. 56, standing in the name of the Hon. Leader of the Opposition.

Mr. BRANCKER: To enquire of the Hon. Premier:

Between first day of January 1960 and thirty-first day of March 1961 how many policemen have ceased to be members of the Local Constabulary; and for what reason in each case?

Hon. Dr. H. G. H. CUMMINS: The answer to the hon. member's question is as follows:-

Between the 1st of January, 1960, and the 31st March, 1961, 51 policemen ceased to be members of the Local Constabulary. Of this number —

18 were allowed to withdraw.
1 declined to re-enrol.
3 were transferred to the Civil Service.
16 were medically discharged.
4 retired: 3 on reaching age limit, and 1 on marriage (female).
2 died in service.

7 were dismissed — 4 of these during their initial training at the Regional Police Training Centre after they had been found unsuitable.

Mr. BRANCKER: I thank the Hon. Premier for his reply. I am further enquiring whether he happens to be aware of any similar period of 15 months, where there have been as many as 51 police constables who have ceased to be members of the local constabulary. I am enquiring whether in 15 months the number of 51 policemen ceasing to be members of the constabulary is not, as far as knowledge and information goes, an unprecedented number in the annals of the Force.

Hon. Dr. H. G. H. CUMMINS: That is another question. That matter was not included in the hon. member's question originally; otherwise I would have had the answer.

Mr. SPEAKER: Question No. 5 standing in the name of the hon. junior member for St. John is now ready to be dealt with. I observe that the hon. member is not now in his place.

Mr. BRANCKER: Mr. Speaker, the hon. member has had an urgent call on professional business. Notwithstanding the fact that this question has once already been allowed to stand over, I crave, on behalf of the hon. member, Your Honour's indulgence for leave to allow this question to stand over again.

There being no objection, leave was granted.

Mr. SPEAKER: The next question ready to be dealt with is question No. 51, standing in the name of the hon. junior member for Christ Church. I observe that the hon. member is not now in his place.

Mr. TALMA: Mr. Speaker, in view of the urgency of the question, I am asking leave that it be allowed to stand over until the next meeting of the House.

There being no objection, leave was granted.

PRIVATE MEMBERS' BUSINESS

GENERAL ASSEMBLY OF THE CHURCH OF GOD IN BARBADOS (INCORPORATION) BILL

Mr. SPEAKER: The first Order of the Day under Private Members' Business stands in the name of the hon. junior member for St. Michael: To move the second reading of a Bill to incorporate the General Assembly of the Church of God in Barbados.

Mr. BRYAN: Mr. Speaker, this is a Bill to incorporate the General Assembly of the Church of God in Barbados. It is a non-controversial matter and so I do not envisage any difficulty in the passage of this Bill. I would like to state that in this Bill there are two or three typographical errors which can be handled when the Bill goes to a Select Committee. Mr. Speaker, the Church of God has been established in Barbados for about 49 years and they are now planning to celebrate their fiftieth year. They can boast of about 19 churches spread all over the island and the main Church is, as you know, in Chapman Street, with a membership of about 1,000. They have made an able contribution to the life of Barbados both spiritually and socially and this Bill is intended to assist them to carry out their activities very expeditiously and with greater effect.

Mr. Speaker, I do not think that it is necessary for me to say very much more on this Bill because, as I said, it is non-controversial. I beg formally to move that this Bill be now read a second time.

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

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

2.45 p.m.

Mr. SPEAKER: I have the honour to appoint the following to serve on Select Committee to consider this Bill: The hon. junior member for St. Michael; the hon. junior member for St. Joseph; the hon. senior member for St. John; the hon. senior member for Christ Church and the hon. junior member for the City.

THE LEEWARD ISLANDS CONFERENCE OF SEVENTH-DAY ADVENTISTS (INCORPORATION) (AMENDMENT) ACT, 1961

Mr. SPEAKER: Order No. 2 under Private Members' Business stands in the name of the hon. junior member for St. Michael: to move the second reading of a Bill to amend the Leeward Island Conference of Seventh Day Adventists (Incorporation) Act, 1933.

Mr. BRYAN: Order No. 2, Mr. Speaker, also stands in my name. It is a Bill to amend the Leeward Islands Conference of Seventh-Day Adventists. I am afraid I cannot proceed with it today, because there are certain amendments of more vital importance than those in the former Bill, and I believe I may have to withdraw this Bill entirely and substitute another in its place.

I am therefore asking leave of the House to withdraw Order No. 2.

Mr. SPEAKER: The hon. member is asking leave to withdraw Order No. 2 under Private Members' Business standing in his name, and unless there be any objection, leave will be granted.

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

RESOLUTION *re* ALLEVIATION OF UNEMPLOYMENT

Mr. SPEAKER: Order No. 3 under Private Members' Business stands in the name of the hon. senior member for St. Peter: to resume debate on the passing of a Resolution re short time and long term measures for the alleviation of unemployment.

Mr. WALCOTT: Mr. Speaker, on the last occasion when I was dealing with this Resolution of which I gave notice, I was at the stage of dealing with the short term aspect of this Resolution, because in it I urged that the Government should take positive action to provide employment as a short term and a long term measure for the unemployed. The Minister of Communications during my speech replied on a point of order in so far as a statement I made with reference to a conversation I had with him was concerned, when we were discussing an aspect of the Displacement Bill and the opening of the Deep Water Harbour. Fortunately the Deep Water Harbour is now operating, but the Government of Barbados has not yet stated what is its policy on the question of providing employment for people as a result of the unemployment and displacement from the Deep Water Harbour.

It is true, Mr. Speaker, that the Government does not even know how many people are affected, and as I pointed out earlier, the Deep Water Harbour Committee recommended as one of its recommendations eight years ago, that is in 1953, that towards the end of the construction of the Deep Water Harbour steps should be taken to rehabilitate the workers. Now I want to say today that the Government can vote against this Resolution. I will not keep the House back on this because this is too urgent a matter for any Government not to know what is taking place. All I say is that any Government which is unaware of what would have been taking place is not fit to be a Government. The Government had the idea that to say that they have provided $1 3/4 million was enough to let Barbadians feel, as they have said, that things would settle themselves; and even in a statement which the Minister of Communications made last week that point of view is underlined. He said that he was in New York or somewhere and understood that the shipping people are going to do this and that. There are all these nebulous, meaningless phrases which you cannot relate to a positive, concrete policy of a Government to show that these are the problems we have to face and this is an answer or one of the solutions to the problem.

Mr. Speaker, I have to do this. I am not the Government; the Government should have been taking the initiative and not me. It is the Government's business to see that there is full employment. No Socialist Government can pretend that full employment is a meaningless phrase; no Socialist Government can say that unemployed people must look to employers for employment. The Socialist philosophy must be able to create and stimulate thinking along the lines of full employment. What has the Government done with regard to this problem where over 1,000 people are going to be unemployed? Not one single work programme has been worked out. It is true that some of the members do not know that you need do it. One member asked me in the Lobby of the House what I wanted him to do. Imagine a Government in an age like this asking people what they want them to do in a serious matter like this! If they do not know what to do, what do you expect the unemployed would be able to do? We know the evils of unemployment, but we know the virtues of employment; you create more spending, the social services are not depleted, and children are kept at school. It would appal you to know, Mr. Speaker, that two days ago I sent a man for an ordinary job as a messenger in a place like Barbados which boasts about its education. This man of twenty-five years of age could not read or write, which means that in 1941 at the school-entering age he never went to school. That is why I say you want compulsory education and you have to build more schools. It was never the responsibility of the State to see that that boy went to school; he was left to the whims and fancies of the economic position of his parents; so he has been allowed to be an illiterate in a community like this.

Mr. Speaker, to allow a child to grow up as an illiterate in 1961 is to allow a leper or a madman to roam the streets of Bridgetown. Those are some of the problems we have to face and we do not have any school buildings. We are very pleased to see that the Americans have come to our aid, again, thanks to Dr. Williams. Had it not been for his positive approach to the Americans, we would not have had the American aid which we are now getting. The Chaguaramas affair has brought relief to those of you who would not have had the guts or the courage to do what he has done in so far as the Americans are concerned, and out of that, this is what has come. You are not anti-American, but you let people know where your fundamental rights are. If the Minister has a plan, he should let us know what it is and how much money he intends to spend in the next couple of weeks.

2.55 p.m.

The Port opened yesterday. The Displaced Workers' Board has been set up. The Hon. Minister of Communications said that he has a statement to make on these things. I would like to hear what can we give these men other than a pittance. They want work. As I have said, before coming to this meeting I had men in the hall of the Union asking me: "Can you do anything for me?" The men are asking you for jobs to do. You have 467 of these people working and 900 not working. We agreed in 1956 that you should embark on the building of the Deep Water Harbour; but whatever the agreement might have been, we of the Union never agreed that the people should not have alternative work to do. I am the accredited representative of the workers of Barbados. I speak for them. I know that they want work and the Government must be in a position now to say what are the plans. This is no Five-Year Plan. When you won the last elections, you said that you were going to build a Deep Water Harbour.

In the last Five-Year Plan, you set out $60 million to be spent on development, $30 million of which was for the building of the Deep Water Harbour and in that report you said that it would provide 10,000 jobs for people in five years. You cannot count. When I was a boy at school it was said that easy lessons are good for people who are dunces. You set out that you are going to provide 10,000 new jobs in five years. If you had provided 10,000 new jobs in five years, you would have had full employment. Your employment figure ten years ago was something like 25,000. Go and look at your emigration figure and add to that figure the figure of 10,000 jobs and see if you would have had anybody unemployed. In the Governor's speech, you say that you have 1,600 people unemployed. It is true that we have a few St. Lucians cutting canes and adorning Nelson Street providing pastimes for the weary, but you do not call that full employment. That is causal employment. Are you suggesting that you have provided 10,000 new jobs in five years?

Imagine that a Government which is a Socialist Government in this year of grace, 1961, cannot come to the people with a positive plan simultaneously as a situation like this which is unprecedented has occurred. Nowhere in the world was there ever a project which did not absorb its labour force to the extent as this bulk installation of sugar and Deep Water Harbour have affected the people. Jamaica, Trinidad and British Guiana had their Deep Water Harbours before and then bulk installation was set up by the employers who had to change their method of shipping sugar. No Deep Water Harbour and bulk installation of sugar anywhere in this world have brought about a dislocation as that which is taking place in Barbados. This is unprecedented. The only thing to compare with this is a war or revolution where everything taking place means ruin.

The Government has given us no answer to this problem. The Premier said that he heard that there was going to be displacement. The Hon. Minister speaks of the prophets of gloom. Does he know that a passenger ship came to Barbados yesterday and not even a watchman was employed on the ship, far more a port worker? The *S. S. Chusan* was in the Harbour yesterday and brought the Governor-General. What did it mean to the port workers? No watchman, no tally clerk, no stevedore, no port worker got a job. All you were getting was frolic from the steel band, and you have this supposed idea that this nebulous tourist trade of which you talk so much about filled everybody's pockets yesterday.

It is true that you would have got fees from bunkering and that that would mean more money to you because you would sell more oil. However, you cannot talk about bunkering as when you had a coal yard operating. Hon. members ought to know what the price of oil is when you bunker in Barbados in comparison with when you bunker in Trinidad. It is also a fact that if you are going south you will not come east to bunker. Of course, you will sell more oil: and by selling more oil, the oil company would employ more people and from that you will get some aspect of employment. You have constructed the Deep Water Harbour to provide bunkering facilities and to bring more ships here: but do not get the idea that you have got an employment plan there.

Sir, this Government is not depending on stimulating employment, but this Government is asking employers what they are going to do. There is only one Government operating in Barbados and it must have a plan and the members of it must say: "This is what we intend to do." Every morning you hear somebody breaks in somebody's safe and that some criminals have gone off with somebody's motor car, and you are seeing the evil forces of unemployment unleashed by some people and the devil takes the hindmost.

Where is the White Paper that that Party put forward for the last five years? They knew that they were going to build the Deep Water Harbour. But what have you told the people? You say: "where are we going to get the money from?" You say that as if we live in the Sahara Desert and you have found an oasis, but we do not know where we are going to get the water from. The Government has a tax policy which provides $2 million more than what they estimate for annually. You collect income tax greater than you estimated and your customs dues are also higher than you estimated. What plans are you making for spending this surplus? Every now and then you come down with a resolution for money to pay for overseas trips of Ministers. What do those trips amount to? On one occasion you came back with some talk of atomic energy for electricity at the Barbados Light and Power Company. Those are the moonshine ideas which spring from their heads. Are the people in Barbados too placid? Have they an over-dose of inertia or do you believe that poverty is some divine dispensation

and that this is the handwriting of the Divine, and therefore, you can do nothing about it?
3.05 p.m.

You must wait peacefully until these gentlemen decide that they are going to do something for you.

Mr. Speaker, in ordinary circumstances one would say: "Well, what can you do in a situation like this?" But in circumstances in which you knew about five or ten years ago that you were going to embark on something, is it beyond the mental capacity of men who have undertaken to carry out the solemn role of representing people not to have bestirred themselves and say: "We cannot allow this matter to settle itself." But we hear on every side of the Government that these things will settle themselves. You cannot expect these things to settle themselves; you have to settle them. I do not want to be original; one newspaper has made a suggestion. I do not want any originality; all I am asking is that you should do something for these people. You should understand the Barbadian context, you should understand Barbadian history. You have a man who is in a temporary job and he says: "Skipper, give me a job even if there is a little less money". He is a fork-lift driver and he has asked for a job as a mechanical sweeper. If he works until seven o'clock, he can get $10.00; he prefers to work for less money and be in permanent employment. He says: "I have three children, their mother has been very decent to me but things are tight. She does not put me in Court but I do not want to drive her to do it."

Last week I said that there was a man with three commonlaw wives and where is he living now? He is living alone. The hon. junior member for St. James would not understand this because he lives in a rural constituency; but you must understand the living in the slums. It is in these slums where you have children who do not go to school. You find a person who never went to school for seven years. We have a situation where the community is copying the capitalist system; we have a system which is inimical to our very needs and aspirations. The majority must have no food and the minority must live. That is what they are getting to. Do you come near to perpetuating that system or doing something about it? You ask how many people are still sleeping on floors? You have to realise that where we have these problems we have to see about them. When the Minister says that if I am talking to him I will have to talk in different terms, I say that he will soon be talking to the people in different terms. You cannot talk to me as one of those persons who have been keeping down the people. I am a product of the poor; I am proud to know that throughout the vicissitudes of life, a product of the poor can speak on behalf of the poor. If it had not been for the grace of God, I would have been in a different position.

You have to stimulate this sort of thinking where you are creating a situation for yourself. You are creating a public nuisance in this island by saying that you want tourists to come here and you have no facilities for them. Where, in this island, can you take your wife so that she can undress on any public beach? My wife has to go behind a car door or a manchineel tree so that she can undress properly on the beaches. Do you think that any respectable man of colour will want to draw up behind the premises of anybody who does not want him to be there? I will say this; I once went to a hotel where the people did not want me to go into the swimming pool, but payment was made on my behalf and I went into the swimming pool purposely. I was a guest at the hotel and therefore I had the right to go into the swimming pool. In Barbados I do not like to carry out these ideas. I would not ask my wife to be engaged in the things in which I would find it more pleasant to engage; but I only mention that as an instance to show that we have scope for employment. Although this Resolution has been worded in the terms of assisting displaced people, it is not confined to them; it emphasizes the need for urgent action to be taken. They had Delamere Land as a swamp; friends of mine were swimming to save their friends. What about the Constitution swamp? In the vicinity of the Hospital which you are now constructing, you have this swamp. The canalization of the Constitution River was something which was talked about when I was a boy. It is a lovely thing to see the river; you do not canalize a river because it takes away the nature of the verdure. The verdure at the side of the river is very nice to look upon.
3.15 p.m.
A thing like the Constitution dirt is nothing to look upon; so therefore why not canalize that as a means of providing profitable employment? A rich place like the United States of America had to look on unemployment seriously and do something to stop it because you give more money out when you have unemployment.

When you put idle hands to work, Mr. Speaker, you pump something back into the community. Blood is moving around, and it means that other people see the blood moving and rush to it. The spending power is maintained, eating food is maintained, and therefore the economy of the island is kept moving.

Now there is no point in saying there is money in Barbados. I have heard it said that Barbadians are investing money outside. What are you going to do about that? Are you going to allow Barbadians to continue to boast that they are investing money outside when you are suffering from unemployment and you are not going to do anything about that? People boldly tell you that they have money to invest, but they are not investing it here. I am not a Communist, because I do not believe in liquidating people the way the Communists do, though the Capitalist system liquidates you by a different means by allowing you to die of starvation and poverty, go to gaol and be beaten until you die; but the Russian experiment was a lesson to the workers. You know what the Czars and Czarinas did in 1917. Russia is a power today; she was not the power she is today before 1917. The new method has transformed the economy of the country and created something that did not exist before. If you read Doestovski or Tolstoy, then you will know what Russia was before 1917. We are going to remain here and allow a situation to reach the stage where the Government can ask what can they do.

The Premier of Barbados in opening the Deep Water Harbour said he had heard there was going to be unemployment as a result of the Deep Water Harbour. He does not know that; he is in a Midsummer's Night Dream. Now, I have not heard so; I know so. I know that yesterday morning there were 800 people who could not find work in the Port of Bridgetown. I know that this morning this has been the case, and I know that you have to do something about that. I know that the 800 people have 4,000 others behind them. Those are the men that were allowed to live in society as they please, as I said, with five children and three wives, eight children five wives and eighteen children six wives; it did not matter to society. Those of us who are closely affiliated with them feel that we have to do something about them — if not about the older ones, at the least the children. I am not coming here with a negative idea to criticise the Government; and some people have to bear in mind that when you criticise Government, you have a right to do so, because it is the Government which you have to ask to do these things. Either you criticise the Government and ask them to do things or you have a revolution. If you take the constitutional method it is to criticise, but that does not mean criticising only from the point of view of pin-pricking. This speech is not pin-pricking at the Government, and that is why I say these are positive measures.

Mr. Speaker, I am not affected as an individual, but I am affected in the sense that people around me are affected, and therefore I cannot live around people who are affected by something and not be affected. I suggest therefore that you should clear the Delamere site and do things in order to create work. The Government must be in a position to initiate these things; I do not have to initiate these things. Government is not a solid mass of matter; it is made up of persons, representatives of the people and part of the people. The Government is not the box that holds the Speaker's Mace; it is not the Chairs in which we sit; it is a collection of persons, men and women, living in the community among other men and women, and knowing there sufferings; so they are aware of these things because they are part and parcel of the soil of

Barbados, know all the idiosyncracies and colloquialisms of Barbados, and do not need anybody to interpret for them.

Knowing that, Mr. Speaker, you must say that the Government is aware of these things; but what Government seems not to be aware of is an awareness to prepare for them. Today is the 4th of July, Independence Day in the United States of America, a great country. In the United States of America people are today thinking in terms of their own independence and in terms of going forward. I ask the Government to go to the beaches, to clear sites and to build more roads where roads are narrow and where they are bad in order to provide more facilities for the people. In a place like Barbados even along the main streets there are water-drawing vehicles. Do you know that there is no law to make people instal a pipe when they are putting up a building? We are still living in a society where there is no law which makes it obligatory to put in water if you are erecting a building in the City. We are still living with the old colonial idea that when you have in a pipe you are great. People do not think that when you have a pipe you have water to use; they regard it as a luxury. Have any of you who have been to Port-of-Spain ever seen anybody with a bucket going for water? Going to the pipe with a bucket is a memory in Port-of-Spain, but the Barbados representatives have not got down to the idea of seeing that one of the conditions of building a house in the City of Bridgetown where water runs along the street is installing a pipe. There should be a law that if you build a house there should be water in it. People should not in 1961 be going to the pipe and fetching water in a City.

I read an article which says that in rural constituencies people are far away from the water borne services. You have to put up with these things, but in Cities and towns there should be these appendages. On the last occasion I mentioned the municipal buildings. The Municipality in Barbados is an alms-giving organisation looking to give out alms, not stimulating the sort of thing we want. We have to make a positive approach. I am giving constructive views which you can use to help the community along. When you build a road or when somebody builds a house, money is being spent. When the Government does anything that stimulates the economy of the country, it is bringing a larger force into being. Such things would be under short time measures.

As to long term measures, Mr. Speaker, I ask that there should be the establishment of a National Committee representing all elements in the community with wide terms of reference to study a programme for industrial and economic expansion, and with a view to creating more employment opportunities for the community. This Government does not think that the people in Barbados matter; they think that the only people who matter are the people within Government Headquarters at Bay Street, and that if they cannot give the Government ideas, nobody else can.
3.25 p.m.
Are they afraid of anybody else taking the credit for anything they have done? I say to members of the Government, do not do anything in this light. Members of the Government say that the people will vote for them all the time. I say if the people love poverty all the time, well, you should do nothing for them.

A National Committee will bring all the elements of the community together. You will get coming together members of Parliament and members outside of Parliament. You will get members of the Tourist Board, the Development Board and all sorts of developments coming together and seeing what could be done for Barbados. They will come together and say: "We are thinking in terms of making Barbados more prosperous and this is what we are going to settle." The Deep Water Harbour was no idea of the Government alone. The idea of building it was one which was springing through the whole community. A Resolution was brought to this House by the late hon. junior member for Christ Church, Mr. W. W. Reece, when he came back to this Chamber after his passage of time in the wilderness. All members of this House were in favour of a Deep Water Harbour. A National Committee was set up for the purpose. All elements of the community sat on that Committee and said: "let us have it."

You do not want anybody to share in anything. You must do something with a national spirit. You waited until the eleventh hour when everything was lost for Barbados at the Federation talks and asked the Hon. Leader of the Opposition to come with you and fight a losing battle. But you had lost the match already. You do not want anybody to share with you. You are not big enough to realise that running a country means people. You do not want anybody to come and share with you in your glory but you want them to come and share with you in your sorrow. Nobody invites you to come to a funeral; you can dress as you like and go to a funeral. It is a wedding to which they invite you. You cannot dress as you like to attend a wedding. You are not given any invitation to a funeral; you can go to the funeral of your biggest enemy and for doing that, they think that you are very magnanimous because they feel that you did not carry malice to the grave. It is different when it comes to a wedding. If you go to the wedding of your biggest enemy, the people will say: "oh, he has only gone to get some rum." They want you to be in the position of Mark Anthony, but when it comes to something in which you can share in prosperity and play your part, they say: "oh no."

I say that you should do something on a long term measure. I am very glad that something has come out of the United States Administrative Assistance Board as regards technical assistance in schools. For a long time I have been talking on education and I have now seen that you have done something about it. As you know, one of my platforms is that education must take a different meaning in 1961. As the hon. senior member for St. Lucy has said, the narrow three streams of education can no longer serve the needs of colonial people with a completely different background from the British people of nearly 200 years ago. You are keeping that lock, stock and barrel and want to use the same system of education of a people whose tongue does not pronounce in the same way as yours. Therefore, we must pay due regard to systems which fit in with our background. That is one of our planks because you cannot make progress unless you have fundamental education and whether it is done in St. Michael first, St. George second and so on, we the people must say that if we cannot have compulsory education, then we must tax ourselves to build more schools for the youth of the country. Are we doing anybody harm to say that it is no use your sending to school a child when it is hungry? We, on this side, say: "yes, we are doing ourselves harm." If he is going to be hungry outside of school he can be hungry inside of school. When the hungry ones are outside, they speak vulgar things; but if they go to school and they hear something good there, some of it will seep into their brains. I say that fundamental education is a 'must'; therefore you must build more schools. Building more schools means more teachers and finding more teachers means finding more money. Do not say that you cannot find the money. You always get these difficulties of your saying: "where are you going to find the money?" They say that they do not know where they are going to find the money to pay for Federation and nobody is going to say: "do not tax you anymore". From my point of view, if something is not clear cut and you are going to be taxed more for it, then you can spend more on education. Anyhow, Sir, we will deal with that when we come to deal with the White Paper on Federation.

Sir, what we feel as regards doing things on a long term basis is that we can get together and think on those things. However, there are projects which you can put into effect in a short time basis and I believe that the climate of Barbados is ready for those projects. You can bring the people of Barbados of all levels together, put them around a table and let them decide something for you. Let us all sit down together. I have said that I do not like any more arbitrations. If you are the employer's representative and I am the workers' representative, you have to sit down at a table with me and talk these things over together, no more third party looking for a conference.
3.35 p.m.
You should make them understand that they have to do that. Barbadians have to understand that we have to think

of our problem and we have to solve it. If there was ever a time when we need to come together as a nation, it is now so that we can fight the forces which are against us. It is not only in a political sense, but in a place where you say that you know what money you have invested - and I may say that no insurance company can make you invest outside. We want to see to what extent we could use that money to further the interest of our economy. You want a Barbadian to go into your factory; you do not want labour from Canada. Where did the Barbadian worker come from? Who substantiated him until he could reach a ripe age? The people who live here must, of necessity, have the first place; we are the people who have invested here. They cannot tell us that we can get 10% or 12% in Trinidad.

The hon. junior member for St. James has asked today that where a man dies intestate and leaves money, his eldest son should not get all of it. Well, what is the difference between that and the man who says that he has made money in a community and does not want to share it? When you have got to manhood, were you living in a desert or in the moon or were you living in a community where all of us will live and help you to make your money? That is a very bitter pill to swallow. Socialists are Socialists until they possess; when they possess, they do not remain Socialists. When a man wins money in a sweepstake he is more capitalist than the people who were born with money.

Mr. Speaker, I think I have spoken enough on this matter. I hope that when I have to reply to hon. members I will have to reply to speeches from the Government side which are in keeping with commonsense. I hope they will realise that this is an urgent matter and that it should be treated urgently. I hope they have realised that I have given them some ideas on which they can work. I have given them these ideas not with criticism, but with the idea of a critique of the analysis of a situation which requires urgent action. Mr. Speaker, I commend this Resolution to this House and I now have the pleasure of moving its passing.

Mr. TALMA: Mr. Speaker, I have much pleasure in seconding the motion for the passing of this Resolution. In doing so, I feel that within recent weeks enough has been said on this very important matter so as to bring home to the Government of this island the dire necessity for positive action being taken in an attempt to solve the very urgent problems which are at present facing the displaced workers and their families. It is a very great problem affecting about 5,000 or 6,000 souls; it is not a matter of 1,200 or 1,400 workers as one may think, but 5,000 or 6,000 individuals who have a perfect right to have employment opportunities and obtain their bread and butter. They should be granted a certain measure of security. It is not good enough for the Government to sit idly by and merely endeavour to give a hand-out of a few thousand dollars which will soon be gone; when the workers receive $1,000 or $2,000 in some cases - whatever is given to them - more than half of that money would have already been spent while they are awaiting relief for so many long months. I do not think the Government should feel that because they have brought down a Bill to set up this Board to deal with the displaced workers, everything is all right. The setting up of a Board is all right, but will the Board make recommendations or devise ways and means of finding employment in order to relieve these workers in a practical way, or of providing the means of a livelihood for these people, which is something that needs to be done urgently? Getting here and passing a lot of fancy legislation is one thing, but to bring bread and butter to these people is quite another. Unless we face this problem in a Christian-minded way, nobody knows what will become of these people. I feel that enough has been said about this matter to bring home to the Government the dire necessity for the taking of prompt action so as to assist these displaced workers.

Mr. Speaker, I had the pleasure of speaking when the Bill was first introduced for the setting up of this Board for the purpose of administering this $1 3/4 million. I spoke on the Bill; I did not tire hon. members in speaking on the Resolution, but I listened to the speech of the hon. senior member for St. Peter, on that occasion and again on this occasion. I regard his contribution to the debate as one of the ablest, soundest and most practical which has been made on the floor of this House, in that he has an intimate knowledge of the strain and stress through which these people are passing.

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

Mr. TALMA: Mr. Deputy Speaker, I had reached the stage in my remarks where I was complimenting the hon. senior member for St. Peter, who is the accredited representative of the workers of this country in the Trade Union movement, for the able stand which he is taking and the speeches he has made in this Chamber, in so far as suggesting concrete proposals for alleviating the problems which are now confronting the displaced workers at the Port. I remember quite well that we had a similar experience a few years ago when the coopers were displaced. I cannot help referring to that. The coopers were displaced owing to the bulk shipment of molasses. I speak with some measure of authority, as I happened to be the Minister at the time, and I know some of the said experiences which these workers encountered. I know what I had to stand up to in going out of my way to assist these workers. 3.45 p.m.

I know that a lot of pretty things are said on platforms which are never intended, and even legislation is passed which is not rigidly enforced. Ways and means are found ostensibly to grant relief or create funds to assist workers, but the actual enforcement of bits of legislation and the actual bringing of relief to these displaced workers is an entirely different matter after these big speeches have been made and the public regard the individuals as saviours and things of that sort. It is not good enough to make these big speeches when the actual implimentation of something to bring assistance to these workers at the time when they need it most is not done.

Mr. Deputy Speaker, the coopers who were displaced in 1953 were assisted in 1954 by way of a levy on the sugar manufactured in this island. There was an Act passed in 1953 dealing with them whereby a levy and a tax were imposed, and a Fund was set up to assist the workers. That levy was enforced in 1954, 1955, 1956 and I think in 1957, but it stopped soon after that - I believe, in 1958. While that levy was enforced, a certain measure of assistance was given to these displaced coopers of whom there were roughly 900. Hon. members who were my colleagues then and who want to be honest would admit that the zeal which I evinced, the interest I took in seeing that these workers were given a square deal, and the time I spent in attending to the hardships of these workers are on the files. If the Minister of Agriculture wants to get up and deny everything, he can refer to the files and read what is there. I know the amount of suffering some of them went through despite the assistance given.

On another occasion, Mr. Deputy Speaker, regulations were drawn up in the Ministry of Agriculture under my direction whereby older workers would have been given assistance one way and younger workers would have been given assistance in another way. I want to know if it is beyond the present Government at least to refer to what was done then. If you copied that or got some ideas from it, if you need ideas at all, you will see right there in the files dealing with displaced workers that there are alternative schemes and proposals which were laid down under the regulations to cope with this situation of the displaced coopers. I speak from memory almost five years after, Mr. Deputy Speaker, but the files are at their disposal. The regulations which were set up then with various schemes dealt with schemes for the younger ones, say under 40, the older ones over 60 years, and then the ones between 40 and 60 years. If in the Act which we passed regulations were set up under the Ministry to cope with that situation, you can set up alternative schemes to assist these present workers; but apparently nothing of the sort has been done because up to now I have not heard anything about it.

Let us assume, Mr. Deputy Speaker, that the workers are divided into three categories. Those workers over 60 years who would have the hardest shock and who would be unable to do very strenuous work after having worked for the last forty years as lightermen or on the waterfront would not be expected to do strenuous work now at 60 years, more especially as their spirits in most cases have been broken through lack of work. For those workers, therefore, I would suggest that you see to it that a certain proportion of the money allocated to the Price Stabilisation Fund be given to them. Whether it be $1, $1.20 or $1.50 per ton could be worked out by the Economist. I am not suggesting a raid on the Fund, because I know it serves a useful purpose, but of all the Funds that is the only one which can really be touched. Instead of allocating $4.80 per ton as it is at present to this Fund, we would allocate $3.80 per ton and allow $1 per ton to go towards establishing a revolving Fund to assist the old workers who have worked from the cradle to the grave almost, and who now must die either at the almshouse or get rid of themselves.

I feel, Mr. Deputy Speaker, that $1 per ton of the Price Stabilisation Fund could be allocated to a revolving Fund for paying pensions - so much a week or so much a month to those workers over 60 years who in the majority of cases would not be able to do very strenuous work, and in many cases would not be able to work at all. A Government member will tell me that you cannot take the Price Stabilisation Fund and allocate it in that way. Let me tell that Government member, whether or not he is here, that permission can be sought from the Colonial Office to be granted the right to allocate portion of any Fund for any purpose which the Government of this country sees fit and which is acceptable in the Colonial Office.

3.55 p.m.

I speak from inside knowledge of the Government: I am not speaking from hearsay. If the Government of this country were to write to the Colonial Office on these Reserve Funds and ask that $1.00 per ton of sugar of the Price Stabilisation Fund be set aside for paying gratuities to displaced workers over 60 years, that can be done. That is one scheme whereby the older workers who cannot expect much employment can be helped. Provision can be made for them out of that Fund. On the last occasion, I suggested that there should be a levy on all the sugar produced. Assuming that you do not want to do that, you can certainly take $1.00 per ton out of the Price Stabilisation Fund and set up a fund which you would be in a position to pay a gratuity to these workers who are over 60 years.

There should also be a land settlement scheme for the ones who are agriculturally minded. I am not saying that all of them would be agriculturally minded, but of this 1,400 who are displaced, you will find a small percentage who are agriculturally minded and who would be glad if a small parcel of land is given to them in order that they can do kitchen gardening instead of doing nothing at all.

Mr. Deputy Speaker, I remember in the scheme which I mentioned to the House, in so far as the displaced coopers were concerned, that there were 49 or 50 men who were only too anxious to get a plot of land to do kitchen gardening. They were agriculturally minded. In like manner there are some port workers - a small percentage of the old workers - who would be agriculturally minded and who would be only too glad to get a plot of land to work, and together with the little pension which they would get from the Government they would be able to face old age with more contentment. That suggestion is nothing miraculous; that is an ordinary everyday idea which should have occurred to the minds of the Government. Set up a revolving fund and a land settlement scheme. I am not saying that you should deprive any plantation owner of his best plantation, neither have I any plantation in view; but certainly, there are plantations which are being set up for sale from time to time. You can wait until such a plantation is on the market and buy it. You can buy one in St. George, St. Thomas or near St. Michael and turn it into a land settlement scheme which can be worked on a co-operative basis and the old port workers could be provided for in that way.

As far as workers between the ages of 40 and 60 years are concerned, they can be engaged in road improvements. They can be engaged in the building of the East Coast Road. If the East Coast Road were built, it would be a means of opening up that section of the island and encouraging and improving our tourist facilities. Therefore, those port workers between 40 and 60 years could be beneficially employed and not merely be given a dole. The building of the East Coast Road has been spoken of for the last 15 or 20 years and you can raise a special loan for building it if you do not have the money. I believe the money can be found because there is money all around in reserve funds. In any case, the money can be found for the construction of that road and the building of it would employ displaced workers between the ages of 40 and 60 years. That would be much better than your handing out a dole to such strong, healthy, active men who are accustomed to working hard for their daily bread. You do not want to insult the intelligence and manhood of the average man by making him feel that he is useless to the community and that he can do nothing but to resign on a solitary dole.

There are other schemes apart from the East Coast Road which you can enter upon. The roads in this Island are extremely narrow and the bends are very dangerous, and it would be a good thing if some of these dangerous bends and curves can be straightened out. I speak of the roads leading to the Seawell Airport mainly and those leading to the Port of Bridgetown. They can be widened and the dangerous bends and curves straightened in accordance with modern trends.

For the workers under 40 years, the Government in my view should lose little or no time in assisting those who are so desirous of emigrating with their full passage, and even passages for their wives, in order to help them to get to England before the doors are closed. I know that there are many waterfront workers who are merely awaiting the payment of this money which they hope will soon be paid and are hoping when they receive it to get to England as soon as possible. I am now asking the Government to try and accelerate that payment in order that these young men can take the opportunity into their own hands and try to get out of this Island and seek employment abroad while the doors are yet opened and the employment opportunities are still available.

4.05 p.m.

I feel, Sir, that in the case of the young, displaced workers, the Government should give them full assistance and full priority in securing employment or in securing contracts for them. It would not be too much for the Minister of Trade, Industry and Labour, if he is still in those parts, to spend another two weeks in trying to secure further employment opportunites for displaced workers who are under forty years of age. Do not let us fool ourselves that we have done so much to assist the workers in this country in the few thousands who have gone out under the Government Scheme, because there are thousands of jobs which are vacant and unfilled. I feel that the appropriate Minister would spend two more weeks in trying to secure employment for these people. I know that he has already done fairly well and he has managed to increase the quotas. I commend him for that. But I am saying that he can do quite a lot more and do something specific in so far as the displaced workers, mainly those who are under the age of 40 years, are concerned. If the Government embarks on such schemes in attempting in a bold manner to attend to the workers who have been displaced on account of the construction of the Deep Water Harbour, if they were to embark on schemes such as those which have been mentioned by the hon. senior member for St. Peter, then the workers would have a ray of hope. For them just to sit back and say that they cannot think of anything to help these workers, but to pass out, hand out, and give out just a few months as near as possible to the General Election, this $1 3/4 million, presumably with the intention of giving these workers some sort of compensation or severance pay for the loss of their employment, is not good enough. I believe that that is the earnest hope of certain members of the Government Party who think of ameliorating the problems and solving them temporarily. That is not enough. It is not enough to hand out this money in October in view of the General Election in November. The workers are in dire need now, and if the Government or the Party's big chief think that they can hold back this money until just before

the Election takes place and try to get back into power, that is not good enough. The Bill has been passed, the Resolution has been passed and how long does it take to work out how much money is to be handed out to these workers? If you appoint a sufficient number of people who are properly qualified to see after the payment of this money and not regard it as a part-time duty, but to work out from day to day the amount of money to which each worker is entitled, the payment will be made within a reasonable time and not in October or whatever time the Government may have in mind.

Mr. Speaker, I have not divided my proposals into long-term ones as the hon. senior member for St. Peter has done. I have approached the matter more from the point of view of the age groups. There should be certain schemes for these young workers and the best thing for them is emigration with their families.

I do not mean emigration as it is now, because unless you have a letter from an employer you cannot secure any loan. I mean that you should hand out the passage money to the workers and their families so that they and their families can emigrate. You can help the young men in that way; if you do that, you should get rid of the robust fellows who are not taking matters as lightly as people are thinking. The workers who are between the ages of 40 and 60 years should be assisted, and in saying that, I am referring to those who want to remain outside. The workers who are between the ages of 40 and 60 years should be assisted on a long-term scheme, at least for a period of two or three years until the shock of the use of the Deep Water Harbour has been got over. People can be assisted in the construction of the East Coast Road and in the construction of other roads which we know and also in the clearance of the slum areas. We have to clean up these places and erect modern buildings. The area of the Greenfields was for sale recently and the Government has the ideal opportunity of clearing up one slum area in the heart of the City. You should go around from one area to the other until, with a period of ten or fifteen years, Bridgetown will not be a mass of slum areas. I feel that the clearance of slum areas, the demolition of certain Government Buildings like the one which houses the Department of Inland Revenue, the widening of roads and measures of that nature will assist the workers who are between the ages of 40 and 60 years of age.
4.15 p.m.
In the case of the older workers, as I have already said, there can be certain agricultural schemes and at least a permanent pension. If the Government were to tackle it along those lines, sir, there is every reason to believe that the displaced workers would feel that their Government, the Government which they were responsible for putting into office over all these years, has done something for them. It is the lightermen, porters and people on the waterfront who first set the Progressive League on a footing. I speak as the first General Secretary of the Progressive League in June 1938 and not of the more recent arrivals to the Labour Party. It is those people who are being displaced that built up the Progressive League, its President and everybody else connected with it. You should go all out in their time of need, and in a practical way, to bring lasting relief and assistance to them, and not merely adopt the temporary expedient of hand-outs which in two or three months would have been expended, after which they will be just where they started all over again.

I feel, Mr. Deputy Speaker, that the Government even at this late hour should get down to this matter, look back in the files dealing with displaced coopers, and draw up various schemes for the various categories of workers, and, if necessary, delegate someone to deal with the displaced workers and the handling of their problems. At least you should give them a proper interview; let somebody see them, talk to them and give them some sort of hope for the future. If when the displaced workers go to the Ministerial Buildings — I am not saying it is happening, but it has happened before and may happen again — to put their troubles and grievances before a Minister, not necessarily the Premier, he tries to absent himself or dodges around some corner or pretends to be busy whereas in truth and in fact he is just monkeying around with some file, that is not good enough. It was not good enough, when the displaced coopers were coming through one door, certain big chiefs were going through the other. You cannot fool these people in 1961 as you fooled them in 1938 or 1939; you have to come square and be on the level. I am not trying to incite anybody; so do not try to think you can lock me up for saying that. I am a member of Parliament and I speak from a personal intimate knowledge and experience. It is not good enough in 1961 to pretend to be helping displaced Port workers by bringing down legislation here, telling them that they will soon get their money and everything will be all right. What we want is for the appropriate Ministers to be available, not only the Minister of Trade and Labour but also the Minister of Agriculture, Lands and Fisheries. They should work in close conjunction, because in my time I was not the Minister of Trade and Labour, but I was the Minister who had to face up to that issue, receive delegations of 40 or 50 strong, try to appease them and implement ways and means to produce money in their hands not only once, but twice a year — in the middle of the year and again at Christmas — by borrowing money from various funds in some cases and presenting them with it in order to appease them and to appear at least to be holding out and keeping some of our promises. I hope that the practice which was adopted then by certain Ministers will not be used now. I do not think the Premier uses that method; he was not one of the Ministers who avoided those workers. (Hon. L. St A. THORNE: Who were they?) When you have a right to talk you can say what you want. The Hon. Premier and the Ministers from 1956 did not rise, so why poke your head out? You will get it guillotined. In 1954, 1955 and 1956 I happened to be Minister of Agriculture, Lands and Fisheries, and prior to that I sat on the Board for the fixing of the tax; so I know what I am speaking about, and I am saying here categorically that the majority of Ministers evaded meeting these displaced coopers with the result that I had to face the music all along in the majority of cases. The Minister of Communications who was Minister of Trade then assisted occasionally; but you would be surprised to know that Ministers did not bear their full weight.

Now that the Port is open, those younger men who were promised work when the Port opened will realise that there is no work for them, and even with a full complement of ships in the Harbour, those who fail to secure employment will realise for the first time that their services are no longer required. I am saying, Sir, that when they start to bombard the Ministerial Buildings to have interviews and to put forward their grievances which they are entitled to do, they should be given a proper hearing, and you should have an officer there to deal with them if the Minister is too busy, because each case has to be dealt with on its merits, and has to be handled separately and independently and gone into thoroughly to the satisfaction of the workers. It is not just good enough to come here with a Bill or Resolution and forget that humane feeling which one should have for his fellow workers.

I am hoping, Sir, that the Hon. Premier who was not Premier then, but who is Premier now, will see the wisdom in certain things which I have attempted saying, and see that full satisfaction is meted out to these displaced workers who are living in a state of despair, and who in the majority of cases do not know where the next meal is coming from.
4.25 p.m.

Mr. CORBIN: Mr. Deputy Speaker, in accordance with the views of the last hon. member who spoke, this Resolution is for short time and long term measures for the alleviation of unemployment. We know that with the coming into operation of the Deep Water Harbour it has caused many people to be out of employment. We know that the whole world has changed in its methods of employment and each Government will have to change to meet the economic conditions of the world markets. What faces us is the question of unemployment which has been brought about by the necessary changes.

HOUSE REVERTS TO GOVERNMENT BUSINESS

Mr. DEPUTY SPEAKER: It now being 4.30 p.m. o'clock, this House will now revert to Government Business.

At the suspension, the Hon. Premier was speaking.

ORDER No. 5 POSTPONED

Hon. Dr. H. G. H. CUMMINS: Mr. Deputy Speaker, I have found out that I cannot go on with Order No. 5 on the Order Paper, which is the Resolution to approve the Order entitled "The Pensions (Pensionable Officer) (Amendment) Order, 1961. The Order of itself has not been circulated to hon. members. I am therefore asking leave to postpone Order No. 5.

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

THE WATERWORKS BILL, 1961

Mr. DEPUTY SPEAKER: Order No. 6 stands in the name of the Hon. Minister of Communications, Works and Housing: To move the second reading of a Bill to amend the Waterworks Act, 1895.

Hon. R. G. MAPP: Mr. Deputy Speaker, this Bill is to amend the Waterworks Act, 1895. As hon. members are aware, under the Crown Proceedings Act of 1955 many suits involving the Waterworks Department which involve appearances before the Court must be brought by the Attorney General. That is the present procedure and, as hon. members can well imagine, it involves the Attorney General in quite a number of legal suits many of which are of a trivial nature.

It is proposed to alter that state of affairs by amending the present Act in two respects. Firstly, we are seeking to insert the necessary definition of the "Chief Engineer"; and secondly, by adding three new subsections to Section 50 of the Act. These subsections, of course, relate to civil suits. By this change any court proceedings can be brought by the Head of that Department.

In the final paragraph of the Objects and Reasons, it is stated that the Attorney General still, however, retains the right to institute proceedings on behalf of the Crown in any case warranting his intervention. You may have more serious cases in which the person instituting the proceedings should be the Attorney General and this Bill would make provisions for this.

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

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

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

On motion of Hon. R. G. MAPP, seconded by Hon. L. St.A. THORNE, Mr. DEPUTY 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.

On motion of Hon. R. G. MAPP, seconded by Hon. L. St.A. THORNE, Mr. CHAIRMAN reported the passing of one Bill in Committee.

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. R. G. MAPP, seconded by Hon. L. St.A. THORNE, the Bill was read a third time and passed.

4.35 p.m.

RESOLUTION TO APPROVE "THE MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) REGULATIONS"

Mr. DEPUTY SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Communications, Works and Housing:- To move the passing of the following Resolution:-

Resolution to approve the Regulations entitled "The Motor Vehicles and Road Traffic (Amendment) Regulations, 1961."

Hon. R. G. MAPP: Mr. Deputy Speaker, the main purpose of this Resolution is to bring certain fares, which are set out in the existing Regulations so far as motor-cabs or taxis plying for hire are concerned, up-to-date. This is a matter on which I have held meetings, at the instigation of the taxi owners, with the Taxi Owners' Association. I think it is called the United Taxi Owners' Association. Since the formation of this Association, it has, to a certain extent, imposed a better sense of discipline and cohesion among certain of the taxi owners and drivers in this island. I hope that the majority of taxi owners will lend greater support to the Association from time to time. We have gone into this matter of fares with the assistance of representative organisations such as the Tourist Board and others and the Taxi Owners' Association willingly asked them to come along. I believe that at one time they brought a representative in the form of the Secretary of the Barbados Workers' Union. He also met and gave us of his experience, in so far as taxi fares are concerned, and assisted us in arriving at some decision. As a result of the concerted efforts of these bodies and individuals we have amended the Regulations in the respect as shown in the Schedule to the Regulations.

Mr. Deputy Speaker, I do not think I can say much more about this matter except to say that these Regulations will commend themselves to the House. I do not know if there are gentlemen here who are expert in the matter of fixing fares, but these Regulations have been the result of the labours of all of these representative bodies. I do not think I need say anything more about them; they have been overdue. These fares have not been changed for a long time, although I have not done much research in the matter, and during the time when the old rates were in existence, prices have gone up. While the bus fares have not been increased too much, other fares have gone up. I think that the taxi owners have made out a case for an increase in these fares. I do hope that with this change we will get less of the malpractices which sometimes take place in this trade. We know what they have done to the trade in Jamaica; as a matter of fact, they can do much harm to the trade itself. However, I believe that we will get less of these malpractices. There are many honest taxi drivers and the dishonest ones will be affected. Whenever you are bringing these Regulations into effect they tend to make for better discipline and better behaviour on the part of taxi drivers.

Mr. Deputy Speaker, there is only one other part of the Regulations which does not concern the fares and that is the provision of free stands to the North of Trafalgar Square for motor vehicles. A part of the area has been reserved for taxis as well. There is a growing problem of providing parking space for taxis as well as for other motor vehicles. This is a problem which has grown up everywhere, particularly in colonies which have only recently introduced some form of town planning. However, we have managed to squeeze in more space in certain streets in the City since we have removed the buses from Palmetto Square and other areas and transferred them to the parking apron in Fairchild Street. This is probably one of the best parking aprons, at least in this part of the world, and it is a credit to Barbados. In consequence of that re-organisation, we have provided more space in the City for the parking of cars, but that is creating a problem which we are tackling with the assistance of the Town and Country Planning Officer. We have a Comprehensive plan, following on the erection of the Deep Water Harbour, on which we are now working and to which we hope to give effect in the very near future. This Resolution does not intend to do much about

that; this is merely a beginning but we are asking that more lots be preserved – in fact we are exchanging one parking spot for another parking spot which we hope will alleviate the problem in the City. I beg to move that this Resolution do now pass.

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

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

ANGLICAN CHURCH (AMENDMENT) BILL

Mr. DEPUTY SPEAKER: The next Order of the Day stands in the name of the Hon. Premier:- To move the second reading of a Bill to amend the Anglican Church Act, 1911.

Hon. Dr. H. G. H. CUMMINS: Mr. Deputy Speaker, I think that hon. members will remember that previous to the passing of the Local Government Act, appointments were made of Committees whose business it was to appoint Rectors and Vicars to the Church. Provision was made in the Act for the appointment of the Churchwarden, members of the Legislative Council, members of the House of Assembly and representatives of the parish in which the Church was located, who formed a Committee to appoint Rectors and Curates to the Church.

4.45 p.m.

Those conditions existed under the Vestry Act which is no longer operative. It is now sought by this Act to allow the Diocesan Synod to appoint two delegates representing the congregation of each Church or Chapel to this Board. As I said before, formerly these two delegates were appointed by the Vestry.

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

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

Mr. TUDOR: Mr. Deputy Speaker, this Bill is by no means controversial, and I believe that it follows the trend of events so far as the change which is to take place in the status of the Church of England in this colony is concerned. It is only fitting of course, that the congregations of the Churches should be the people who should have the most say in the appointment of the Rectors, Vicars and Curates, and therefore the Bill in principle is a good one since it throws on the congregations the onus and responsibility of electing those who are to serve as Rectors and Vicars in the respective Churches. It therefore follows as a necessary consequence of the changed status of the Church.

What I wonder, however, is why this Bill stands by itself and is not part of a general scheme. It is about time – and I hope the Premier will take this opportunity to say something on this matter – that this House and members of the public generally were told something officially about the progress of the negotiations between Government and Synod with respect to disestablishment and disendowment. I believe that people would be interested to know whether there is going to be both disestablishment and disendowment; secondly, whether Government is prepared to maintain the establishment while disendowing the Church, and thirdly, if Government is prepared to maintain the establishment, to what extent and upon what terms. I do not think this is a matter which can by any stretch of the imagination be called a secret; it is a matter which will have to come before the Legislature and therefore before the public at some time or other, and it would be a good thing if the Premier were in a position perhaps on this occasion to say something about the progress which is being made in these negotiations.

I believe that within recent months the Synod has availed itself of expert advice from an ecclesiastical Lawyer who visited this island with respect to financial and other consequences of disendowment. What is not clear, however, is whether there is going to be disestablishment, and I believe that public opinion generally is not quite clear as to the difference between the two; a lot of confusion, I believe, will be avoided if Government were to make its policy quite clear. I have been informed – I do not know how true it is – that there is not going to be disestablishment, or at any rate not absolute disestablishment, and that the establishment is going to be maintained in some form or other, because it is judged that the historic connection between Church and State should not be so rudely broken, but that there is going to be disendowment.

A lot of problems therefore will arise out of this partial solution of the problem. I want to make it quite clear that it is Government's duty from time to time to submit an interim Report to the public at large, or at any rate to permit the Bishop and Synod to tell their congregations what has been going on. A matter like this which is of such obvious importance to many thousands of people cannot be left in the dark. There are no security matters or secrets involved because it is going to affect everybody, particularly the congregations of the Church, as well as the taxpayers generally, and I believe that people would like to know, among other things, what financial commitments will have to be undertaken by the Government in order to bring about disestablishment.

I will realise, Mr. Deputy Speaker, that these matters are not now before us, but the Bill which is before us touches on them in that it gives the congregation power to select Vicars and Rectors, and thus of course provides for the self-Government of the Church by the congregations in some method or other. In other words, the Bill before us quite logically belongs to a different atmosphere from that which obtains now. It is not only as the Hon. Premier has said, although what he has said is quite true, that the change-over from the Vestry system makes these amendments necessary. It is true that these amendments become necessary because the Church must govern itself in the future; it will be partly separated from the State, and therefore the congregations must have a greater share in the governing of that Body. I think that this is a good time for the public generally and for the members of the Established Church to know what exactly has been done so far, what financial commitments, if any, are to be undertaken by Government, and most important of all how the Church will fare under the change-over – and, of course, lastly but by no means of least importance, whether there is going to be complete disestablishment or partial disestablishment, and if partial, to what extent.

Hon. Dr. H. G. H. CUMMINS: Mr. Deputy Speaker, unfortunately, I cannot report any great progress in our talks with the Church. It is true, as the hon. member has said, that during December the Church availed itself of the opportunity due to the presence in Barbados of a gentleman who is quite knowledgeable of ecclesiastical law and the Committee appointed by the Cabinet had two meetings with representatives of the Church and this gentleman. We had hoped soon after they had finished to make some tangible progress, but, Sir, you will remember that after we had these talks about December, and, I think, the first week of January, that was followed by the preparation of the Estimates, and in February I had to go to London in connection with the Bases Talks.

4.55 p.m.

Since then, we had the Estimates and after that, we were busy preparing to go to Trinidad to the Governmental Conference. Since we came back from Trinidad we had to go to the London Conference: so the Committee did not have much opportunity to meet the Church Committee again.

The member asked for certain things. He asked whether this was going to be the disestablishment and disendowment and from the financial side of it what preparation is being made with regard to the financing. Well, as I have said, all these talks were done by a Committee of the Cabinet. That Committee has not had the opportunity yet to report to the Cabinet. Until the Committee reports, the Cabinet cannot take action. I am trying to get a meeting with the Church next week or so, and I hope from now on to make some progress.

Mr. TUDOR: Sir, having spoken already, I am asking leave of the House to make another point.

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

Mr. TUDOR: First of all, I must thank the House. In view of the fact that this matter is not controversial from the Party view, will the Hon. Premier consider giving instructions in the appropriate quarters for copies of the memoranda appertaining to these negotiations to be circulated to the Hon. Leader of the Opposition so that members of the Opposition may be able to see and understand what is going on?

Hon. Dr. H. G. H. CUMMINS: I cannot give that assurance. As I have said, all the talks so far have been done on the basis of a Committee, and when the Committee reports, the Cabinet will have to reach a conclusion as regards the policy. I do not think the information which the hon. member suggests might be circulated should be divulged at this stage.

Mr. TUDOR: I am afraid that the Hon. Premier has misunderstood me. I do not mean the Government documents; I mean the Church's views. In other words, would the Hon. Premier give the Bishop permission to circulate the matter to interested parties such as documents coming from the Church?

Hon. Dr. H. G. H. CUMMINS: That is very difficult. In due course, the House will have all the information when these talks are concluded and the Government's policy has been declared and we come to the House with that.

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. D. D. GARNER, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BRYAN in the Chair.

Clauses 1 and 2 were called separately and passed.

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, Mr. CHAIRMAN reported the passing of one Bill in Committee.

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

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

THE SUPPLEMENTARY APPROPRIATION BILL, 1961.

Mr. DEPUTY SPEAKER: The next Order of the Day stands in the name of the Hon. Premier: Second reading of a Bill — An Act to grant an additional sum of money out of the Public Treasury and to appropriate the same for the service of the year ended the 31st day of March, 1961.

Hon. Dr. H. G. H. CUMMINS: Order No. 9, is the usual Supplementary Appropriation Bill which comes to this Chamber annually. This is for the service of the year ended the 31st day of March, 1961.

I do not know whether it needs my saying anything more about it. It is a Bill which covers the appropriations which do not appear in the Appropriation Bill passed by the House at the time of the Estimates.

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

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

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

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

The Preamble was postponed.

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

5.05 p.m.

Clauses 4 and 5 were called and passed.

The Schedule and the Preamble were called and passed.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, the CHAIRMAN reported the passing of the Bill in Committee.

Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

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

REGISTERED SUGAR FACTORIES SMOKE CONTROL BILL

Mr. DEPUTY 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 provide a means whereby sugar factories may be safeguarded against actions of nuisance and applications for interlocutory injunctions in respect of nuisances occasioned by the emission of smoke and to regulate the emission of smoke from sugar factories afforded such protection.

Hon. D. D. GARNER: Mr. Deputy Speaker, this Bill seeks to create the means whereby certain factories will have a defence against certain allegations brought against them, and it is called the Sugar Factories Smoke Control Bill. The history of this Bill is a very long one and I think I should begin where the negotiations began. I think that it was in April, 1957, when my Ministry received correspondence from the Barbados Sugar Producers' Association asking that legislation be brought into effect so as to provide them with a sort of defence against what is happening in the island in relations to sugar factories. If one were to take a historical view of what has been happening in Barbados for the past three hundred years as regards our sugar industry, one would realise that it is only in recent times that smoke has become a nuisance to the inhabitants of this country. I say that because, at one time in our history, every owner of ten or more acres of land had his own boiling house, his little vacuum pan or whatever it was, to turn his crop into syrup or fancy molasses. From that, one would gather that the nuisance of the emission of smoke was more prevalent years ago than it is today when we have a very much smaller number of factories grinding canes and making syrup. Those were the days when sugar was the only item of our economy so to speak; if it was not the only one, it was the basic one, but we did not have so many alternatives as we have today, such as tourism, industrialisation and so on. I can say that at that time the nuisance of the emission of smoke by sugar factories was much greater than it is today; however, we have been receiving a number of tourists from all over the world and some of them have taken up permanent residence here, while others have bought properties and turned them into de luxe homes. Some of these homes are within the bounds of sugar factories and I must emphasize the point that the sugar factories were established before these newcomers bought their various homes. That does not mean that if you have to curtail the emission of smoke from your factory you have not got to do it. I am only saying that the factories were established long before the tourists arrived here and from what we know of the complaints which are being made of the emission of smoke from the sugar factories, it is principally a matter of tourists who want a haven in Barbados and they expect that they should have

nothing like smoke or soot coming from these sugar factories.

Mr. Deputy Speaker, as I said before, negotiations between the Government and the Barbados Sugar Producers' Association began early in April, 1957, and it took us all of these years in order to arrive at this Bill. I want to tell hon. members that this Bill is the best we can do in the circumstances and I say that in the best spirit. I will tell you why I say that; when the Barbados Sugar Producers' Association met members of the Government — I happened to represent the Government — to discuss these matters, they brought with them their legal.....

At this stage Mr. SPEAKER resumed the Chair.

Hon. D. D. GARNER: Mr. Speaker, I was just beginning to speak about the legal entry into the Ministry on behalf of the delegation which came to discuss the question of the emission of smoke from these factories. As I was saying, Sir, the legal luminaries or legal representatives of the Barbados Sugar Producers' Association came along and discussed this matter at length with us. We had several meetings and we have sent several communications to the Secretary of State for the Colonies on this matter. The Secretary of State for the Colonies in turn has sent to every sugar-producing country in the British Commonwealth, and we are happy to state here, without fear of contradiction, that we have done the best we could do in the circumstances. The problem in the other sugar-producing countries is the same. It is only in one or two countries that you find any rumpus being made and it is when tourists or some foreigners go in and they want to make a haven in these places.

Mr. Speaker, at this stage, I would like to call the attention of the House to the many places which we have circularised in order to get what law they have on this question and I will tell you what the Secretary of State for the Colonies had to say.
5.15 p.m.

Now, Sir, we sent to British Guiana and their reply came back in August of the same year. This is what their telegram said:-

"This Government is unable to advise the Government of Barbados since conditions in British Guiana are not analagous to those outlined in your memorandum. Here sugar estates and the accompanying factories are widely diffused over a large part of the coastlands and there are no residential districts which may have given rise to a comparable problem."

We also sent to Trinidad. Trinidad said that they have no such problem; but "there were complaints against one factory, and the company concerned has since adapted one of the steam-raising boilers to an exhaust ventilation system linked to a steel chimney. This has worked to the satisfaction of the Health Authorities, and the company concerned intends modifying their other boilers similar at a total cost of approximately £50,000 before the next crop season. It is hoped that this will provide a permanent solution to the problem here."

Trinidad goes on to say that the problem has been regarded as a health problem and the formal provision of the Health Ordinance is relevant, so that they deal with it as a matter of health.

Now, Sir, we come to the Fiji Islands, and this is what they had to say:-

"As is apparently the case in Barbados, the local people are reasonably tolerant about the nuisance, dust and ash from the chimneys of sugar factories in the colony, and it is regretted that I have no useful advice that I may be able to offer to combat the nuisance. The legal position here is that under Section 57 of the Public Health Ordinance (Cap. 107) any work, manufactory, trade or business injurious to the health of the neighbourhood or so conducted as to be injurious to health or offensive to the public is a nuisance liable to be dealt with summarily. It is a sufficient defence if it is proved that the offensiveness is not greater than might reasonably be expected having regard to the nature of the trade, and also that the best practicable means have been used to minimize the offensiveness and abate any nuisance, and also that no serious danger to health exists."

Now, Sir, I can go on reading quite a bit, but I think before I stop I will read from what Jamaica said. Among other things Jamaica says:- "There is no legislation in this territory dealing specifically with the nuisance created by the emission of smoke, soot or ash from factories." We have other comments from Martinique and other places, but I only read those to show that wherever you have sugar factories you will have this problem.

As I said earlier, we have had several meetings with the engineers of the Sugar Factories' Association, owners of the sugar factories, the legal representatives of the sugar factories and members of the Barbados Sugar Producers' Association, and they have been keeping abreast of what is happening outside and inside of Barbados. I think there are five factories which now have what we call smoke arresters. I want to make it abundantly clear, that nobody in the Government is trying to save or shield the factory owners from any obligation they might have to the people of Barbados so far as their civil rights are concerned; but when you take the sugar industry as it is today, I know one factory which has spent, I think, $75,000 in erecting smoke arresters, another one has spent $50,000. But money does not come from the Rehabilitation Fund and therefore it is logical to assume that it is paid for by the people who grow canes in this colony. If the factories are called upon to spend these large sums of money to arrest their flying ash, because that is the main damage it does, I think we would see a gradual reduction in the price being paid not only to peasants but for canes generally, because these bits of machinery cost considerable amounts.

Mr. Deputy Speaker, it is therefore for the Government to do something to minimize the amount of actions, civil or otherwise, which can be taken against these factories, which if left in the state in which they find themselves today, could be closed even during the height of a crop season. That is our main industry in Barbados; so let nobody fool himself about it. Whether or not we like to call ourselves an agricultural community, nature has just put us here with this and we have got to work accordingly. If one wants to call himself something different and get into a different environment he might travel to the four corners of the earth, but I presume people will live on this little island until an earthquake comes and sends us somewhere else or we will be buried under the sea. While this rock remains, I believe agriculture will remain as our basic economy as it is now. When so much depends therefore upon the economy of sugar, it is only right for us to listen to the manufacturers of sugar, hear what are their complaints and see to it that they have a certain amount of defence, provided they do what is necessary to safeguard the health and property of other people.

Now the members of the Sugar Producers' Association have been at pains to explain away their position by their legal representatives. In fact, I want to say, Sir that they have been very helpful in this matter. As a Barbadian and as one whose interest is in sugar and who knows what sugar means to each and every one of us in Barbados, I think it is only fair and just that we should prevent people who would live in London or in the United States where greasy smoke emits from chimneys and they have to wash their faces soon after they get home, or in America where the diesel soot in certain industrial towns would rest on their suits and they would have to get them cleaned after passing through one of those districts, from coming here to upset our economy.
5.25 p.m.
Although they reside there under these conditions, they expect to come to Barbados and upset our economy and they come here and call on our sugar factories to do these things after they have established their homes here long after these sugar factories have been operating. Our people here have never been rebellious. They have always given the factories the kind of sympathy which they deserve. However,

since some of these foreigners have come here and started these cases against sugar factory owners, some of our local people have come forward to see what part they can take in it.

We do not want to take away their civil rights. What we say here is that we have a Health Act on our Statute Book and it is very plainly set out under the provisions of Part VIII what they can do and we want these people to come under that part of the Act.

But, Sir, that is not all. This Bill which is new in its concept in Barbados is absolutely new so far as we know. The lawyers could not find any legislation anywhere like it. It just does not exist so far as the emission of smoke is concerned. Other countries just do not have such legislation. There is just one case in Trinidad and it came under the Public Health Act. We are seeking by this Bill to do a similar thing in Barbados so as to prevent some of these foreigners filing interlocutory injunctions to restrain the workings of sugar factories on the ground that the emission of smoke therefrom occasions a nuisance. These foreigners want the owners of sugar factories to spend $50,000 to $75,000 in order to affect the emission of smoke from the factory. As hon. members know, that is not a small amount. I take it, Sir, that you are a businessman. You are a Barbadian and you know that these factory owners are not going to take $75,000 from money which they have already earned to spend on that; they are going to take it from the people who grow the canes because they will say that it is an added expense to the factory.

According to this Bill, you will see that you have to do certain things and when you do those things we will give you a defense against certain things. Let me here state that this Bill was contemplated quite a long time ago. It started in April, 1957. This is now July, 1961. I can assure you that there are two files which contain correspondence relating to just this matter. We have correspondence from everywhere we could obtain it and we ferreted out every point. We wanted to be absolutely sure that when we enacted a Bill of this nature, it would do no harm to either side.

The Objects and Reasons says that this Bill seeks to provide a means whereby sugar factories may be safeguarded against the threat of civil actions alleging a nuisance occasioned by the emission of smoke therefrom and against application for the grant of interlocutory injunctions to restrain the working of sugar factories on the ground that the emission of smoke therefrom occasions a nuisance.

This Bill, as you can see, sets out in the various clauses what is to be done in order to prevent these factories being liable. You would understand from reading it that a Board is to be set up and that certain conditions will have to be met in order that these factories might be registered. The factories will have to be registered in order to get a certificate to work during the year. If it is not registered and a case comes up against it, then it is that factory's hard luck. When one reads the Bill, he will see what are the obligations of the factories.

Sir, I do not intend to read all of the Objects and Reasons because this Bill was in the hands of hon. members for quite a long time and I take it that they have read it with interest to see what are its merits and demerits and that they will offer their criticisms or meed of praise, whatever the occasion may demand. I want to re-emphasise that four years of hard work have gone into the production of this Bill. For a period of four years we have been sending telegrams to sugar producing countries to find out how they settle these problems. Meetings were held everywhere. This Bill is what has emerged from the outcome of all those things.

Now, Sir, Clause 2 defines "sugar factory"; it means any factory solely operated for the purpose of extracting the juice of the cane plant and of converting the same into sugar or any other product.

It also defines "court" which means the Supreme Court of Barbados; "functions which includes powers and duties; "judge" which includes the Chief Justice; "registered sugar factory" which means a sugar factory registered in pursuance of the provisions of this Act; and "smoke" which includes soot, ash, grit and gritty particles.

Sir, if you read Section 9, you will see that it says:

9 (1) Where having regard to all the circumstances of the case, the Board are of the opinion that the immunities granted by this Act in respect of sugar factories registered in accordance with the provisions of this Act should be granted in respect of a sugar factory for which application for registration has been made under the provision of section six of this Act, the Board shall at any time after the expiration of ten days from the date of publication of the notice required by subsection (3) of section six of this Act, inform the person by whom application was made that they are prepared to register the sugar factory:

That gives you an idea that sugar factories must now be registered and that there is a Board to see to it before they can become registered. Where you have a factory and it does not register and a complaint is made against the factory the Board will not allow that factory to operate until the nuisance is put right, and if any civil action comes up against it, that is just too bad for the factory.

Section 9 goes on to say:

Provided that, the Board shall not so inform such person in any case where they have ascertained from the Registrar of the Island that a civil action alleging a nuisance occasioned by the emission of smoke from the sugar factory in question has been lodged with the court and has not been determined or that an application which has not been determined has been made to a Judge in respect of the sugar factory in question for the grant of an interlocutory injunction to restrain the working of the sugar factory on the ground that the emission of smoke from the sugar factory occasions a nuisance:

Well, Sir, this Bill as it is serves to make the owners of sugar factories put their house in order if they want protection and it protects some of the owners of houses against the cause against which some have been complaining. As I have said, it is not only from the factory's point of view, I come now to the civil rights of residents. I know of a house in a certain district where the emission of smoke from a factory goes into that house and causes a nuisance. 5.35 p.m.
They cannot open their windows. As to that particular factory, I am happy to say that it has put in some equipment, and now I understand that the nuisance is abated. However, during my long discussions with some of the best experts on this matter - I may say that I have had talks with American and English Engineers, with Dr. Saint and I have had several meetings with people who are in the know. As far as flying ash is concerned, they say that there is nothing which will give 100% perfection, whatever system you use. You can reduce or abate it but you cannot get rid of it entirely. The gas we use is different from diesel or certain greases, but from bagasse you get a kind of ash, and however you try to arrest it, even with the water-cooling system, you cannot do a complete job. From the best experts we have had quite a lot of correspondence and literature on the matter; we have had correspondence from factory engineers, inventors and what not, and they are unable to tell us of anything which will give one hundred percent satisfaction. Therefore, a certain amount of latitude must be given, latitude which perhaps the local people would not mind, but we do not want to get rid of our friends. It is a fact that certain well-to-do people come to Barbados to build or buy houses in certain districts, and soot may get into their places, and they seek to collect large sums of money as damages and so on. We cannot stand idly by and see the sugar industry ruined. It is all right for people to talk foolishness, but those of us who have the responsibility of running this Government and providing the money for running the service, know that we must talk sense; we cannot talk emotional sensationalism and hope that that will increase salaries. God has either given you natural resources or you have to toil and get them. There are people

who have oil, tin and copra, but in Barbados all we have is sugar cane. God help us if the British Government joins the European Free Market. I am watching that matter very seriously; how the British Government is going to get around the various things which she does for these islands as regards sugar, from time to time, I do not know. Do not let us talk glibly as people who do not know; if people had faith in their leaders and were not led by people who want to bluff them at times and who do not want to get the facts from us, they would be able to debate seriously the total economy of this island, how much money we can get to do this and that, how much money we can get for this year and that sort of thing. Some people think that this Government's expenditure is unlimited, that the Premier and six Ministers can wave a magic wand. They do not understand taxation problems or what we get by way of the sugar crop. That is the emphasis I want to place on this matter. I do not think we are getting the maximum which we should get out of the sugar industry, but still we have to thank God that we have such a hard-working crowd of people who think of making money for themselves - and we get some too. In other countries where there have not been hard-working farmers, people have been left to suffer. Some people are dependent upon crops from their trees and if we started on that system it would take us many years before we could get a crop; and when a hurricane comes along and knocks down the trees, it takes another seven years before you can get that crop started. In the case of bananas, they will take another eighteen months or two years before we get a crop, but we have to hold on to sugar.

While I know that we will be accused of protecting the factory owners of this country, on the other hand, as a responsible citizen, I have to protect them. I am introducing a Bill which is very necessary in this colony today. You have to protect the sugar factories from unscrupulous foreigners who come in here and expect to have a paradise in Barbados without that corresponding amount of sympathy and discretion. I am not unmindful of those who have already suffered and who are still suffering; that wrong will be made right by this Bill. I think that the cane growers in this colony, whether they be large or small, must appreciate a Bill like this. Every time that a factory has added expense, it comes from the cane which it purchases. That is a part of the working expenses; they have a suspense account: and even if they did not have it, they would replace expenditure over a number of years. Therefore, in the last analysis, it is the cane grower who pays.

I want to say that we, the Government, are satisfied that this Bill will not do the residents of Barbados any harm, and it cannot do the foreigners any harm provided that they are tolerant. You go to other countries and they will have other factories. We have a large number of sugar factories because sugar is our main industry; and while all of these factories are not situated at a point where they can be a nuisance to residents, yet with the developing process which is going on in Barbados, you can never tell when a new district will come into being. I am not a legal man, but I do know that enough was said in the Courts as regards that point. I refer to the matter as to who was there first and who was there last. That bears some part in the law, but the purpose of this Bill as set out in the "Objects and Reasons" is just what I have said and purely that.

5.45 p.m.

These people seem to have had to spend a lot of money on new equipment; some have tried one thing and some have tried another. There are two systems now in Barbados; one is the wet system and the other is the dry system. I understand that the last one put down cost something like $24,000; another factory spent $50,000 and another factory has spent $75,000. We are not saying they should not spend this money to put their factories in proper order, but there are other things beside that.

Now, Sir, this Act, if it becomes the law of the land, bases its Penalty Clause on Part VIII of the Public Health Act, 1954 - "Nuisances and Offensive Trades", and that gives all the definition one could want as regards what is meant by dust, smoke and all the like. Now we think it a proper thing to bring it in as a health matter, because we are satisfied that all of the other sugar producing countries deal with it under that head, so we are justified in doing the same. In fact I think that at one time even the Secretary of State for the Colonies did not know what to do about it. People came along 300 years ago, farmers had their canes reaped and ground at the factories and people got a little dust for a few weeks, but they gave God thanks. Times have changed and you have got tourists and other people coming to live with you; they want to build good houses and perhaps live in recluse, and they say that they want to be absolutely immune from smoke.

I cannot tell them, Sir, that they can get it 100 per-cent, but I do know from the engineers whom I said came from America, England and other places and people with whom we have had a lot of correspondence on this matter that the least and the best we can do at the moment is to bring down this legislation. Somebody at some future date might be able to change this up and bring something more rigid in line, but I would not be the one at this moment to advocate that, because when one sees that the cost of living is going up, workers have to get more money and certain things cost more money because you cannot control what comes in from abroad, and the price of sugar still remains stagnant, then you can see what is happening. We have not reached that yet, thank God, but I loathe that day. We have had it before, not because of this but other things, and now that we have an opportunity to do something not to help the factories as such - because we are not helping them, we are trying to help the economy of Barbados - we should do it. If these people take up these large sums and spend on something which does not really solve the problem in its entirety and yet they can be prosecuted, it is about time that we woke up and did something about it, and this Bill seeks to do that.

I think, Mr. Deputy Speaker, that I have said enough on this. I recommend it to this Honourable House and to the people of Barbados. I want to re-assure the House that a lot of expert advice has gone into this; a lot of expert thinking and knowledge evolved this Bill. I want to say it was not only the Government's legal people who evolved this. We have had a man - I do not think I will do any wrong in calling his name - who was once a very strong figure in this House who came on a couple of occasions and discussed this thing at length with us. I refer to Mr. Keith Walcott. He has given unstintingly of his best and we are grateful to all those persons who in some way or other helped us over these four years. This has been going on for four years because we wanted to be quite sure that when we came here it would suit conditions, because we could not find any model elsewhere. This has not been taken from a text book as such; this had to be drafted.

Mr. Deputy Speaker, if there are any points which hon. members would like to question, I should be too happy to answer. I think before I sit down I should say that it is intended or proposed that a factory should pay at least $150 for registration fees. If this Bill passes, we intend to have a Board and the Secretary should be somebody from the Department of Science and Agriculture, and we have already contacted somebody to be Inspector of factories. That is for the Board to supervise and these fees will go towards paying expenses and so on. The sugar people might be called upon if inspections cost more to levy a certain amount on each factory, because as you know, it is an Association, and I do not think there is a bigger Association than the Sugar Producers' Association in this country. If you met a factory owner in St. Philip on Friday afternoon at 3 o'clock and journeyed to St. Lucy and arrived there at 5 o'clock and asked another factory about any particular problem, they would both give the same answer; they are highly organised. In fact I wish we had somebody really in the Government or in our Department who knew as much about the Sugar Industry as people in that Association. They have everything at their finger-tips. Fortunately for us in Barbados it is not what obtains in St. Kitts, because in St. Kitts you have one factory and one group of people with whom to negotiate. I have been there and have not seen any peasant proprietors.

5.55 p.m.

There is no such thing; so our set-up in Barbados is entirely different from theirs.

I do not think that I should say much more on this Bill. Section 16 sets out exactly what I have been talking about. It reads as follows:-

16. All fees received by the Board in respect of the registration of sugar factories shall be retained by the Board to meet any expenses incurred by the Board under the provisions of this Act and to repay to the Accountant General for the use of the general revenue of the Island any sums due and owing in virtue of the provisions of section seventeen of this Act.

All these monies are only loaned; they are not given. It says in Section 17:-

17. (1) The Accountant General may pay to the Board out of the Public Treasury on the warrant of the Governor-in-Executive Committee such sums as may be required to meet wholly or in part the annual expenses of the Board.

(2) Any sums paid under the provision of subsection (1) of this section may be advanced on such terms and conditions as the Governor-in-Executive Committee may think fit.

Then you have the Form of Application for the Registration of a Sugar Factory, Form of Certificate of Registration, etc. The Bill sets out everything that is necessary.

Sir, I do not think that anything has been left undone in drafting this Bill. It will be seen from the sections that we care as much about the residents of the colony as we care about the sugar manufacturers. We have not left anybody without protection. We have been told by specialists in the field, by people who know, on good authority, that nothing has been created by way of machinery to stop dry ash from being emitted; so you can very well see that even though the owners of factories may spend a considerable sum of money on equipment to prevent the emission of ash and trying to rectify it, there is still a certain amount of dry ash which will still fly about. We have got pamphlets and all sort of things on this matter, and after all these years of discussion, this Bill is what we have evolved.

With these remarks, I want to commend this Bill to this Hon. House in the hope that members will believe that we have done our best in this matter. I see that I have here a note from Mauritius. It says that apart from general powers of prosecution available under the Public Health Ordinance there is no special legislation in Mauritius dealing with emission of smoke and ashes. As far as can be ascertained, no factories as yet have been prosecuted for offences arising out of this cause.

Sir, you can very well see that this is quite new thing in the history of sugar factories. It is true that sugar factories have always been creating nuisances, but they have been viewed in the light of sympathy because they deal with the ordinary bread and butter of people here. I have heard that the owners of one of these factories had a common understanding with a certain man and after the crop the owners of the factory gave that man a certain amount of money. I do not know how it was done. I know in one intance that a factory owner even offered to purchase the home of a certain property owner. As far as I have been told by the experts, you cannot do anything to eradicate it 100 percent. This is the best that can be done.

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

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

Mr. STRAUGHN: Sir, my guess is that this Bill will be given an unopposed second reading.

I have just about three points to make on it and there my case rests. First of all, the Hon. Minister did not tell us about what might be the composition of the Sugar Factory Smoke Control Board. I take it that the Government would be seeing to it that it is a proper representative Board, the members of which would be able to give the very best in a matter of this sort.

I notice that the Hon. Minister in introducing the Bill did say that there is no similar legislation like this anywhere to be found. I myself should be very much surprised if there is not some kind of legislation in the U.S.A. on matters like this. I would be very much surprised if there is not any because I know that they have been paying much attention to matters of this sort.

I take it that the Government must have commissioned the whole Commonwealth on this matter but I do not know if they went over to the American continent. The fact that those countries have oil brings me to my third point.

The Hon. Minister of Agriculture did say that the experts with whom he spoke said that there is no method which can give 100 percent eradication of the dry ash which we get from megasse. Perhaps what I might say might be a little biased. I have worked for eight years in a major section of the oil industry and I know that there is better control of this matter in oil burning plants than in plants burning megasse.

I do hope that within a number of years this Sugar Factory Smoke Control Board would be so far-sighted that they would be able to make such recommendations as to how one may equip a factory so that you can get better control of this situation. I know right now that we have an oil refinery which has just expanded itseld into Barbados. I do not know how much they are producing at the moment but I know that they already have experiments on the way by which they can utilise megasse in making panel doors, and it is a question of the sugar factories using cheap fuel oil and in return turning in the megasse to the oil company.
6.05 p.m.
We hope that in a number of years' time the Sugar Factory Control Board will be such a far-sighted body that they will be able to say that cheap fuel oil will be used in the running of the factory and the megasse will be used in the manufacture of panel board. I know that that will come in the immediate future and consideration will be given to matters like that, in any case, it would be an advance on the industrial progress we are making in Barbados. Those are the points which I wanted to make. The first one is the question of representation on the Sugar Factory Control Board; the next one is that there will be some legislation of this sort which exists in some part of the Americas and, thirdly, I am certain that we can utilise our megasse for the manufacture of panel board.

Mr. WALCOTT: Mr. Speaker, I am in general agreement with this Bill. I did not hear all the remarks which were made by the hon. Introducer, but he seems to be overpleading this matter, and that makes one get suspicious about it. That is like a Saul who has been converted. The hon. member was such a big antagonist of the sugar people that when he has to support them, he has to plead and overplead in order to make people believe that he has not turned back on the Damascus Road. You do not want to take away anybody's civil right. From the time when I was a boy the sugar factories were soiling people's clothes and you had to wash them over; the Courts in those days, I believe, would chase you out and tell you that you are a nuisance. But with these people nowadays you cannot dirty their pillows or their sheets. I want to say that anybody who comes to Barbados, which has a sugar economy, will have to put up with a little nuisance. I have not yet been to an industrial City where I could put on a white shirt and did not have to change it. In an industrial country your clothes will get soiled all the time. I agree with the hon. junior member for St. Joseph that you do not want people to use unscientific methods. We are progressing in the world today. I have not challenged the factories on the economics of smoke. Many of these factory people say that they spend quite a lot of money in smoke abatement. From the point which the hon. junior member for St. Joseph has made, if the cost of smoke abatement reaches a certain figure, then you have to wonder if oil would be cheaper to use or if that would, so to speak, reduce the nuisance of smoke resulting from the use of megasse. That is a question for the engineering people. Megasse is the price we pay for canes; it is the last thing from the pressure of juice and it is used back in the factory. I did not say this during the speech which I made on the question

of employment projects, but one thing which the sugar people are prepared to say is that they are going through with a vast re-organisation in the sugar industry. Nobody has said that there are about twenty-two of these D.C. Factories and syrup plants in Barbados, but we know, if the Government does not know, that some of these factories are being closed down. As soon as the measure which we are discussing with the Government is completed, you will see that more sugar factories will disappear. The sugar people say that they cannot speak for the individual. The grape vine says that Carrington and Bulkely in the South will be amalgamated and that Fairfield in the North is going to disappear. It is felt that the Belle is also going to disappear and it is a question as to who will be the owners. If the sugar factories are going in for this re-organisation, they will dealing with this question of general efficiency.

I agree that you should protect the sugar factories at this time and under the present circumstances. When you are dealing with money in a situation, you cannot tell a man who has a factory today that he must put in some machinery which will stop the emission of smoke and then the cost of putting in these things to stop the emission of smoke for a period of sixteen weeks will militate against the interest of the people concerned. When you tell a man that he should spend say, £1,600 in order to stop the emission of smoke, when he does that is he getting a greater recovery? You will get some recovery but £1,600 will have gone through the eddoes. Some people who are in the tourist industry do not pay any real wages; they pay a man $10 a week. In the crop season every plantation worker or factory worker works for more money than anybody who is working at a hotel. I am not talking about tips; I am talking about ordinary wages which are paid at hotels. Should you dispossess a man because some soot goes on your white suit? I will go further. I will not waste any time at all. If you cannot tell a man that if he wants to come and live in Barbados he must do so with this soot, then he must not come.

6.15 p.m.

Not one single Barbadian has sued any factory for such a nuisance. Do you think a Barbadian would go to Court and sue a factory over soot? What for? To make a nuisance of himself? People want these little paradises and want to pail around their places. This started in St. James, but if I were a lawyer I would say I am not pleading that sort of case, because I am a Barbadian and soot comes in at me too. What are you going to do when there is a cane fire? Are you going to sue the factory? When the ash comes in, you have to buy more soap and wash your clothes again, but I would prefer to wash my clothes again and see the boys come to town on Saturdays and spend money instead of having less soot and no money, in which case you get people breaking down your windows, stealing your motor cars or carrying away your slippers. I prefer to give them a little more money and allow them to leave your motor cars, because it looks stupid for a person to have to lock up his car as you do not know when it will be taken.

What I would like to say to the Minister is that I am very itchy about these Boards. I agree that you should give the Sugar Producers' Association representation, but the workers also have an interest in this. I believe my voice is helpful to you in a matter like this, and as an Organisation we entirely agree with it. We will stand up against anybody wanting to shut down a factory on the basis of soot; but do you not think that we deserve some representation too? Do not say it is only for engineers, because we are not dealing with the engineering aspect; we are dealing with it from the public aspect; so you do not have to put an engineer on the Board to tell the factory that it has not done its best and you are asking it to do something to abate the smoke, or on the other hand to say that the factory has done its best, has a certificate and can therefore avoid presecution. I think the purpose of the Board is to see that if there is any complaint the factory does its best to abate the nuisance, or to see that if this nuisance is created by burning rotten cane in the boiler that they get wallaba wood or coals from British Guiana or something like that. If they are doing their best, it would be done to the benefit of the community.

Mr. Speaker, as a matter of policy the Governor-in-Executive should appoint a person to the Board in the interest of the workers. I say that because prior to the introduction of this Bill, the Management of Haymans Factory in St. Peter spoke to the Union on this matter, and my attitude was that if the people at Eastry House and at Gibbes' could not put up with some smoke, they should rent out these places to somebody else. If the Union had money we would go down there and use them. The people in Road View lived there when Gibbes' was only wood; so they built the houses at Gibbes' knowing that the factory was there. All the houses that were built at Gibbes' were built since Haymans factory was there; so if you build your house close to a factory, what do you expect? If you put your drawing-room close to a man's toilet, do you want him to move the toilet because you have put your front there? It is just like at the Deep Water Harbour where you say that the back of people's houses are at the front of the Harbour; so if you wanted to swing those houses around, you would have to do it.

Mr. Speaker, I happen to be a representative of St. Peter and I would fight anybody who tells me he wants to shut down Haymans Factory because people who live at Gibbes' say you should do something in order for them to run a few hotels and guest-houses. What will the workers do then? Go and wash clothes for these same people for $7 or $8 a week? I do not subscribe to that sort of fussiness. If Barbados goes in for more industries you will get more nuisances too. Trains passing along a place keep a lot of noise, and if you live in New York you have to get accustomed to sleeping with noise. The buses that carry air brakes keep a lot of noise, but I have never heard while I was in New York about people bringing injunctions. If you want to live in an exclusive area, you can go to Westchester where when it begins to snow you cannot get out and they have to send something to pick you out of the ice. You get that exclusive atmosphere in Westchester, but when it snows you are there too.

I am not in favour of allowing these people to come to Barbados and run people out; I am prepared to see that every factory does its best, and I feel they should be protected rather than hounded out. I would suggest to the Minister that the Governor-in-Executive Committee should appoint a representative of the workers, and perhaps the number could be changed to five without spoiling the Bill. If you have not thought of that point I made, I make it quite seriously. I am not asking for anything for myself; I am a far too busy man to be begging for work; I am over-loaded with work. I think as a matter of principle that it is a good thing, because any matter which in Barbados affects the sugar industry affects everyone in the industry. I know that you do not appoint a Board with all workers, all employers or anything like that, but on the other hand we have to be begging for a little squeeze in. I wonder why it is like that! They seem to know everything about us, and when it comes to certain things they say we would not know or understand.

A man believes a Bank is a mystery, Mr. Speaker. I know how to spend money even if I do not know how to invest it. We have representation on the Water Board, the Irrigation Board and other Boards, and I would suggest that we have representation on this Board also. This is to protect workers, though not in a direct way. The workers are not calling for protection, but the closing down of factories by an injunction made by a Court can mean the closing down of workers opportunities for earning something. I do not believe that the Court will give a ruling to make these factories close, otherwise you would not have money to pay the Judges themselves; so for that reason I think the Minister should give consideration to that.

I am in general agreement with protecting the factories from these injunctions, and so long as they are prepared to do their best to protect the civil interest and not create a nuisance unnecessarily, then I feel that people should not be expected to drive such industries out of business by any of these matters that would in a Law Court be regarded as a nuisance based on the legal position.

Mr. TALMA: Mr. Speaker, I too would like to subscribe to the principle of this Bill in that I agree with the general principle; but while agreeing in principle with the Bill and agreeing in a general way that sugar factories should be protected against such actions, yet I feel that as

this Bill took the Minister and the experts engaged in the working out of this Bill four years before it could be brought down to this Chamber, I think that to expect this Chamber to deal with it just in the course of one afternoon is not really giving due consideration to the provisions.
6.25 p.m.

Hon. D. D. GARNER: I rise on a point of order. I have not brought this Bill in here this morning. This was in the hands of hon. members for a long time; therefore it cannot be said that it has been given them this afternoon. They had it to study for a long time.

Mr. TALMA: Sir, I am sorry the Hon. Minister got that impression. I never intended that. Let me put it another way. I feel that this Bill is unique and the provisions of which are of sufficient importance to be dealt with by a Select Committee of this House. I am suggesting that the provisions of this Bill are sufficiently important - the Hon. Minister has taken four years to deal with the subject matter - that it should be sent to Select Committee in order to give proper study to it.

It is going to be passed here this afternoon and more than 50 percent of the members of this Chamber will not know the true implications of the various provisions.

Mr. SPEAKER: I do not think that the hon. member intended to make that criticism because it may be possible to construe that to be a reflection on hon. members who have studied the Bill. The hon. member cannot say that he knows that 50 percent or more of hon. members present may not be aware of the implications of this Bill. He cannot say that he knows that. It is a risk to say that he assumes so.

Mr. TALMA: Sir, I am just trying to stress the importance of the Bill as the Minister himself has done. I agree with the principle but the provisions are very far-reaching. I feel if the Government and the Sugar Producer's Federation have taken four years to decide on the form which the Bill should take that if the Bill were sent to Select Committee, it would be the proper thing to do in order to study the true implications of it.

For example, on the face of the Bill, in the Objects and Reasons, it is mentioned in Paragraph 2 that the Bill seeks to establish a Board to be known as the Sugar Factory Smoke Control Boad which will have the right to register any sugar factory in a register to be known as the register of sugar factories. It goes on to say that the Bill seeks to ensure that within the period during which a sugar factory is registered no civil action alleging a nuisance occasioned by the emission of smoke nor application for the grant of an interlocutory injunction to restrain the working of a sugar factory on the ground that the emission of smoke therefrom occasions a nuisance may be brought in respect of the sugar factory. In other words, it is taking away the civil rights of the individual. It infringes on the civil rights of the individual. All that the Hon. Minister explained as regards that - and the Bill itself - is that while the civil rights in the case of civil actions will be barred in future, the individual would still have the right to presecute under Part VIII of the Public Health Act of 1954. Reading the Objects and Reasons, you get that impression: but when you refer to Part VIII of the Public Health Act, you will see from that part that it is not the individual who will have the right, but that the Council of the area would have the right to bring and to prosecute under the Public Health Act for any nuisance. It is clearly stated that it is the Council of the area and not the individual. That is the first point. You give the impression that the civil rights of the individual are not being taken away from him, but when you go further and peruse the Public Health Act to see what his rights are and you go into the matter more carefully, you will see that the rights of the individual are gone entirely and that it is only the Council of the particular area which can prosecute under Part VIII of the Public Health Act.

That is the first misleading piece of information. If the Hon. Minister of Agriculture refers to Section 86, he can corroborate what I am saying.

Section 86 of the Public Health Act reads as follows:-

"It shall be the duty of every Council to cause their Area to be inspected from time to time for the detection of matters requiring to be dealt with under the provisions of this Part of this Act as being statutory nuisances within the meaning of Section eighty-seven of this Act."

Then Section 87 gives you the things which are statutory nuisances and only the Council of the Area can bring a case like that. They say in this Bill before us that the civil rights of the individual will not be taken away, but those rights are taken away. The Hon. Minister talks about my wanting to sabotage the Bill. I am not sabotaging anything; I am trying to enlighten you. A lot of ignorance is being brought down here.

Section 87 reads as follows:-

" (1) Without prejudice to the exercise by a Council of any powers vested in them by or under this Act, the following matters - hereinafter referred to as "statutory nuisances" - may, subject to the provisions of this part of this Act, be dealt with summarily before a Police Magistrate, that is to say -
6.35 p.m.

(a) any premises in such a state as to be prejudicial to health or a nuisance;

(b) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;

(c) any accumulation or deposit which is prejudicial to health or a nuisance;

(d) any dust or effluvia caused by any trade, business, manufacture or process and being prejudicial to the health of, or a nuisance to, the inhabitants of the neighbourhood;"

My whole point is that the proper person or authority to bring the case will be the Council and not an individual. The individual will have no authority over the Council as such and therefore the rights of the individual will be infringed upon and taken away. If you want to pass legislation here merely for the purpose of protecting the factory owner although he has a lot of money to play with, like money from the Rehabilitation Fund and the Price Stabilization Fund, to assist him in constructing his smoke abatement equipment..

Hon. D. D. GARNER: On a point of order. I do not want to quarrel with the hon. member but I do want to tell him this, that the law does not allow the factory owners to use money from the Rehabilitation Fund for the installation of such equipment.

Mr. TALMA: That is a joke: You can tell that to the Marines! The Rehabilitation Fund is for replacements and equipping sugar factories as such and it can be used for anything in relation to a factory. As I say, the Minister has to tell that to the Marines, not to me. Mr. Speaker, I was at the point where I was explaining that the factory owner had the Rehabilitation Fund and the Price Stabilization Fund, which amounts to millions of dollars each year, and other funds from which to receive assistance. Although I am in agreement with this Bill generally, yet I see flaws in this Bill on every side. I see that the right of the individual is being taken away and what the Bill purports to do on the face of it is not correct. This is what the "Objects and Reasons" of the Bill says:-

"Whilst operating as a bar to civil actions of nuisance and applications for interlocutory injunctions, registration of a sugar factory would not prevent the prosecution under the provision of part VIII of the Public Health Act, 1954 of a complaint lodged in respect of a registered sugar factory for a nuisance occasioned by smoke."

That prosecution can only be instituted by the Council of the area and not by any individual. It is quite clear that the civil rights of the individual are being taken away and infringed upon. It is as clear as a pikestaff that what is set out on the face of the Bill is not true or very inaccurate. That is one reason why a Select Committee should be appointed to go into this Bill. Apart from that, the Minister,

in the course of his remarks, referred to the penalty prescribed for a breach of the Act. Let me tell this House that the penalty is a fine not exceeding $25. That is Section 96. A fine not exceeding $25 is the maximum penalty. A sugar factory can only be penalised to that extent for each offense and no prosecution can be instituted against a sugar factory unless and until the Council of the area decides by a majority vote so to do. Mr. Speaker, I am not here to advise the Minister legally or otherwise because he has his advisers, but on the face of it there are these big flaws.

If you want to pass legislation like this, well, go ahead and pass it; but it is left to the public of the island to say if they are going to tolerate this standard of legislation and take action, because the whole thing is a farce. As against what I have just said, we also have to consider the interest of the tourist trade; we have to consider interest in the development of hotels by investors and people of that nature. As I said from the outset, I am in general agreement with the principle of the Bill, but I feel that it needs closer scrutiny before it is passed in here. I feel that this Bill should be sent to a Select Committee in that the Minister would not have any time now to alter the two glaring defects which I have just pointed out. There are a few more, but it is not my duty to point them all out. The Minister has a working majority and therefore he can go ahead and have this Bill passed. I have pointed out two glaring defects in the Bill and that the "Objects and Reasons" are misleading in two material particulars. It is therefore purely a matter for the Minister and the Government to have this Bill passed as it is.

For anyone to be caused to think that the statutory nuisances mentioned in the Public Health Act means anything to the individual, is far from setting out the true state of affairs. The tourist trade will be hampered as a result and I feel that this Measure should be sent to a Select Committee in order that each and every member of the public will be granted full consideration. It is true that Clause 7 of the Bill speaks of people who have objections to make. This is what it says in sub-clause (1):

"Any person who has reason to object to the registration of a sugar factory as a registered sugar factory may at any time within ten days of publication of the notice mentioned in sub-section (3) of section six of this Act, file with the Board a notice of objection in duplicate setting forth the precise grounds of his objection to the registration of the sugar factory in question."

That helps to a point but it is not enough.
6.45 p.m.

I feel, Sir, that the Minister had made a very good attempt in doing something to help the sugar factories. He has gone a long way and done a lot of hard work over a period of four years, and has produced a Bill which is helpful in many respects; but before the Bill before us receives the blessing of this House, it should be carefully considered Section by Section by a Select Committee. Now that I have pointed out two glaring errors on the face of the Bill, I think it would be improper for him just to bulldoze it through because he has a working majority in this House.

Mr. CRAWFORD: Mr. Speaker, one fact has emerged out of the mass of information and misinformation to which the House has been treated by the Introducer of this Bill. That fact, Mr. Speaker, is that once more Barbados is about to pay obeisance to the great god, King Sugar. It is one thing to talk about protecting sugar factories from interlocutory injunctions to stop them from working, but it is another thing to deny the individual citizen the right of protection against the nuisance caused by sugar factories.

Before I go any further, Mr. Speaker, let us get this for the record. On both sides of the Table so far the inference has been that only a few wealthy expatriates who have recently come to the country have been annoyed or offended by sugar factory soot and other nuisances. That is not true. What is true is that these wealthy people on the St. James coast who were the first to bring a test case against a sugar factory in this country were the first people who had the money to do it. They had the money, Mr. Speaker, and they got a lawyer who would go into Court with them and they went ahead. But this has nothing at all to do with the thousands of small people all over the island who for years, almost a generation, have suffered at the hands of sugar factories without redress because they had no money; they could not afford to institute legal proceedings.

I represent the parish of St. Philip, and on more than one occasion people living in Four Square Valley have sent messages to me to ask me to come to Four Square Valley and see the conditions of the houses because of soot from Four Square Factory. They were not Lords like the wealthy expatriates down there and could not afford to institute legal proceedings for redress of their grievances; they had to suffer. While on the face of it, Mr. Speaker, any reasonable member of this House would agree to protecting sugar factories to the point at which anybody whether or not he had money could obtain an injunction against the actual operation, that has nothing at all to do with the protection of the rights of the citizen and individual, and preventing sugar factories merely because they are sugar factories from making absolute nuisances of themselves, so to speak, during their operations.

Before I go further, Sir, I want to say that we were told that this Bill is unique; there is nothing like it in any part of the world. It is more than passing strange that the Barbados Government should be so anxious to institute legislation of this sort when they themselves have confessed that there is nothing like it in any part of the world. They are prepared.....

Hon. D. D. GARNER: On a point of order, I said there was no model we could take this from because there is no similar Bill in any book. This is similar to the Agricultural Credit Bank; we had to get to work and evolve that.

Mr. CRAWFORD: Mr. Speaker, last week when we were discussing the Police Bill, when we on this side of the Table proposed that the Police should be entitled to legal representation when their job was at stake, we were told by the Government that in no part of the world was there legislation to provide this, and because there was no legislation in this part of the world to do that, they were not breaking new ground; but with the sugar factories they are prepared to be unique, to break all the new ground imaginable, and to present and to pass legislation, a model for which you can find in no other sugar producing country in the world.

I am not prepared to sit here, Mr. Speaker, and agree to this Bill as it stands, because the premise on which the Government starts is completely wrong. The Minister got up here and said that years ago when they were numbers of small sugar centres all over the place - I believe he means the small fancy molasses factories - nobody complained about the nuisance they caused; but it is left to those wealthy people on the St. James coast to start in this respect. I want to ask a simple question. Mr. Speaker. Can anybody in his right senses claim that the small fancy molasses factories we had around here in the past could create the same nuisances as these big modern sugar factories with their chimneys rising all the way in the sky? The emission of smoke or soot from a modern sugar factory is nothing to be compared with the emmision from the small syrup and fancy molasses plants we had before. When he claims that the Government is so indebted to Mr. Keith Walcott for assistance in the drafting of this Bill.....

Hon. D. D. GARNER: On a point of order, I said no such thing. I said that Mr. Keith Walcott came to represent the other side. I did not say that the Government appealed to Mr. Keith Walcott.
6.55 p.m.

Mr. CRAWFORD: I am not here to explain simple words. I never said anything about appeal at all. What the Minister did say was that Mr. Keith Walcott had worked very hard and had been of great assistance in getting this particular piece of legislation which is before the Legislature today. There is nothing to be surprised about that.

Hon. D. D. GARNER: Mr. Speaker, I rise on a point of order. Mr. Keith Walcott had nothing to do with the drafting of this legislation as such. This was drafted by the Attorney General and his staff. I stated that Mr. Keith Walcott was very helpful. He did not draft this but he sat down and discussed things. He represented the other side.

Mr. CRAWFORD: Mr. Keith Walcott represented the other side. Of course he did not draft this legislation. He is not the colony's draftsman. The colony's draftsman drafted the legislation on the information given by the Government and the representatives of the Sugar Producers Association. All the Legal Draftsmen did was to produce an instrument along the lines of the documentation given them.

I am not surprised that Mr. Keith Walcott had a hand in this. His factory was the first factory to suffer from one of these interlocutory injunctions. We all remember the *cause celébre* which involved the Porters Factory; so it would not be surprising if the Sugar Producers Association, Mr. Keith Walcott, or any of them thought in terms of protecting the sugar factories without any interest in protecting the citizens if their premises got dirty by soot or what not from these sugar factories.

SUSPENSION OF SITTING

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

7.00 p.m.

On resumption,

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, there being no quorum, I ask that the Bell be rung.

The bell was rung and a quorum was obtained.

Mr. SPEAKER: The hon. senior member for St. Philip was addressing the House.

Mr. CRAWFORD: Sir, the more I think of this Bill, the more satisfied I am in my mind that the motion proposed by the hon. senior member for Christ Church is the manner in which this matter should be treated. According to the Objects and Reasons, this Bill seeks to provide a means whereby sugar factories may be safeguarded against the threat of civil actions alleging a nuisance occasioned by the emission of smoke therefrom and against applications for the grant of interlocutory injuntions to restrain the working of sugar factories on the ground that the emission of smoke therefrom occasions a nuisance.

Well, now, we are prepared to go as far as to say that to protect sugar factories against applications for the grant of interlocutory injunctions to restrain them from working, in principle, is to a certain extent correct: but in doing that you must not deprive citizens of the right to take action against sugar factories which create a nuisance and, as the Bill before us states, the average person would only be allowed to take action under the provisions of Part VIII of the Public Health Act of 1954.

The hon. senior member for Christ Church pointed out that under Section 86 that action must be taken by the District Council and not by the individual. This Bill is surely enacting class legislation. Personally, you are not compelling any owner of a sugar factory to take the maximum steps to ensure that he does not create a nuisance. That is the first important step. Nowhere in this Bill does it say that any sugar factory is compelled under the law to take all the necessary steps by the installation of the most modern machinery to prevent a nuisance from being created. All you are saying is that nobody can take action against a sugar factory because it is a sugar factory, because King Sugar must remain supreme. Under this, no individual can take action unless the District Council takes the action. Do you expect us to agree to that? The Government is suffering from wrong advice. Naturally, the people who were advising the Government on this matter were primarily concerned with protecting the interests of sugar factories.

Hon. D. D. GARNER: Mr. Speaker, I rise on a point of order. That is not true.

Mr. CRAWFORD: That makes it worse because if those who spoke were not concerned solely with defending the interest of sugar factories, well then there can be no doubt that it would not be parliamentary for me to say what I think about them. Nowhere in this Bill before the House is there any protection for the individual and, as a matter of fact, it is downright stupidity in anybody to assume that only the wealthy expatriates in St. James have complained about this thing and are the victims of this nuisance by the sugar factories in this island. There is no parish in which there are no residents who do not want to do something about it. Of course, they would not want the factory to stop operating. The average Barbadian district resident parishioner would not want to do that, but he certainly wants his rights protected: and in getting his rights protected, he wants the Government by legislation to compel sugar factories to take every possible step to see to it that the soot does not create a nuisance.

All the Government had to do was to refer to the *cause celébre* – the Rupert Briercliffe case – and they would have found out that sugar factories already have a lot of protection in this matter. If a sugar factory can prove that it has exhausted all the means at its disposal to protect the smoke emission from becoming a nuisance, you cannot get an injunction against the owners at all. It is only when they have done almost nothing that you can get an injunction against them, and therefore the Government has a duty first to protect the individuals and then the sugar factories.

It is all well and good to come here and say that sugar is King and all that, and that you get your economy from sugar and try to throw dust in our eyes – in this case try to throw smoke down the throats of people – but a sugar factory should provide proper equipment against the emission of smoke becoming a nuisance.

7.50 p.m.

Hon. D. D. GARNER: On a point of order. I referred to cane growers; as a matter of fact, I mentioned cane growers, not peasants.

Mr. CRAWFORD: When the hon. member interrupts on points of order it would not do justice to children. It is not true to say that cane growers have to pay for it at all. To begin with, capital expenditure on a sugar factory comes out of the profits. The sugar industry in Barbados is the only industry in the world in which the people who run these industries are allowed to deduct their profits first before they think in terms of paying to the producers of the raw material what those producers are entitled to. That is where a little learning becomes a dangerous thing. If the Minister knew how the payment for canes is arrived at, he could not have said what he said. Under the price-fixing formula for canes produced in this country, it is not a question of buying canes, operating your factory, providing manufacturing expenses and your percentage of profit and then what is left is given to the producers of the raw material. You take the price of sugar, you add to the price of sugar the price of fancy molasses and what not, and then you are allowed to deduct your manufacturing expenses, and your depreciation at a fixed rate. You are allowed to deduct so much profit, to fix the rate for manufacturing a ton of sugar and then what is left you divide on the basis of so many tons of canes to make a ton of sugar; so that to say that if legislation compels the sugar factory owner to install smoke abatement equipment you are necessarily going to reduce the price paid for canes in any given year, is incorrect. To begin with, expenditure cannot be taken out in one year; it must be spread over a number of years. No sugar factory owner would expect to recover all his capital expenditure in any one year.

Hon. D. D. GARNER: On a point of order. If the hon. member was listening to me he would have heard me make that same point; but he was so willing.....

Mr. SPEAKER: That is enough.

Mr. CRAWFORD: What point did the hon. member make? I do not know if he knows what he is saying himself. He said that if the sugar factory has to provide smoke

abatement equipment that means that the peasants will get less for their canes.

Hon. D. D. GARNER: I did not mention the peasants. I said cane growers, which is an all-inclusive term.

Mr. CRAWFORD: That does not affect the principle of my argument.

Hon. D. D. GARNER: I want the hon. member to quote me accurately.

Mr. CRAWFORD: It makes no difference.

Hon. D. D. GARNER: I want him to quote me correctly. There is a big difference between cane growers and peasants. The hon. member thinks that I know nothing, but I know something.

Mr. CRAWFORD: There is no difference between the cane growers and the peasants in the sense that both of them sell canes for the purpose of making sugar. The point which I am trying to make is this: his argument is that if you compel the sugar factory owners to install smoke abatement equipment, that will result in your being paid less for canes; that is not correct. I do not care who says it; it could be a merchant in Bridgetown, a carpenter, a mason, or a fisherman. This Bill, at the same time as it is protecting the sugar factories, should be providing for two things. Firstly, it must not interefere with the right of the individual citizen to go into the Court if he has the money to do so, and secondly, you should compel the sugar factories to exercise every possible means not to be nuisances. The sugar factories make money; they do not operate merely to bolster the economy of Barbados. They operate to make money, and in making their profits there are certain conditions which they should observe.

Mr. Speaker, you would not allow a blacksmith or shoemaker or even the lime kiln owner to create nuisances as he likes. This is class legislation with hardly any curtailment at all. You are saying that the sugar factories should create smoke nuisances as they like and you are restricting the right not merely of foreigners but that of Barbadians. From the beginning, the premise was wrong. The Minister began with it, the hon. senior member for St. Peter echoed it and the hon. junior member for St. Joseph echoed it and the hon. junior member for St. Joseph fell into the same mistake by imagining that it is the few wealthy people in St. James who have money and who are concerned about this smoke nuisance. I may say that almost everybody in Barbados is suffering from this thing.

Hon. D. D. GARNER: On a point of order. I said that there might be local people who have been suffering from this nuisance. I said that during the course of my remarks. I repeat that if the hon. member wants to quote me then let him speak the truth.

8.00 p.m.

Mr. CRAWFORD: The truth is that this is sugar factory legislation. The truth is that his remarks about people being never rebellious and giving the sugar factories sympathy are bare eye-wash. Do you expect the peasants in Foursquare Valley to go and open Court and take injunction against Foursquare Factory? Where would they get the money from? There are no wealthy people living in Foursquare Valley, but that does not mean that the smallholder in Foursquare Valley was not a victim every year when the factory was working and grinding canes. What you have done in this legislation is to tell Foursquare Factory to go on doing it.

I am sure, Mr. Speaker, that you would have had action similar to that taken by Sir Rupert Briercliffe against Haymans on the part of numbers of small residents in the villages in Barbados if they had the money to do it; but in many cases, apart from the fact that they did not have the money, they just felt that the entire Barbados Government worshipped at the shrine of the God, Sugar. They figure that Barbados is made for sugar, we breathe sugar, and therefore nobody could dare attack sugar; but it was left to those people who came in from outside to challenge this idle worship. It is all well and good to talk about people being satisfied to tolerate nuisances they get outside. No factory in London, Hamburg or New York is allowed to pollute the atmosphere *ad lib*, so to speak. No factory in any modern country is allowed to create a nuisance *ad lib*. If he does not know that, let somebody tell it to him. By all means, if you are in an industrialised part of any big city in any part of the world, you get certain nuisances from the operation of the industries; but I defy anybody on that side of the House to produce a copy or a piece of similar one-sided legislation from any part of the world. As a matter of fact, they said they really could not do it.

When you are creating precedents, Mr. Speaker, you have to be very careful what you do. All we are saying is that in their haste to provide protection for sugar factories from what was undoubtedly a nuisance.....

Hon. D. D. GARNER: On a point of order, I was at pains to point out that the only thing that interfered with the other factories in other sugar producing countries was the same Public Health Act. That is all they have to control anything as regards soot, smoke and nuisances of any nature, and this is what this Bill refers to.

Mr. CRAWFORD: He himself admitted that conditions were different. In British Guiana, for instance, you have a sugar factory miles away from residential districts, and similarly in Trinidad the factory was situated in the midst of two or three thousand acres.

What I am saying, Sir, is that in their haste to protect the sugar factories from what undoubtedly was an injustice because of the legal right to be able to compel a factory to suspend operations in the midst of a crop, they have brought this. Nobody would deny that, but this is not the way to remedy it. If somebody has some money to open the Court and start an injunction to stop work and interfere with the entire economy, that is wrong; but this is not the way to stop it. Since they had no example to go by, in their haste to stop it and put an end to this state of affairs, let them consider the matter carefully.....

Hon. D. D. GARNER: On a point of order, when the hon. member uses the word "haste", I think he should be more considerate than that and at least not try to bamboozle the House, because I particularly went for the file and said that these negotiations began on the 14th April, 1957, and this is now over four years. Where is the haste about this when we were making absolutely sure that we got the right kind of legislation? Far from being hasty, we have taken four years to produce something like this.

Mr. CRAWFORD: The minute they brought this before the House, it was shown that it was hasty, ill-considered, ill-advised, ill-conceived and everything. Four years is nothing in comparison with the length of time sugar factories were operating in Barbados and creating this nuisance. He himself claimed that back about nearly a century ago when we had the small D.C. Factories operating they created nuisances, and as a matter of fact, considering the length of time we have had sugar factories creating some kind of nuisance, four years is really haste if at the end of four years you are going to bring this. It is the most mischievous, one-sided piece of class legislation introduced in this House in my time. The only people in the island who have any rights in this matter of smoke nuisance are the sugar factories; nobody else has any right. If you happen to live within a mile of a factory and have your entire place polluted all day and all night during the crop, you have to sit down and wait until the District Council does something about it. Imagine, Mr. Speaker, or any of them, if there was a factory in Bridgetown, waiting for the City Council to take action against it! You would be buried in lava, as Pompeii was buried by Vesuvius, before it happened. Or imagine one of us living in the Northern District Council and a factory creating a nuisance and we are waiting for the Northern District Council to take action; you would be buried like Martinique in the debris of Mount Pelee.

When I say haste, it does not necessarily mean time; it can also mean that in their anxiety to do something to protect the sugar factories from this possibility of an injunction which hangs over their heads like the sword of Damocles, they have produced this abortion. We are not going to be midwives at it. We are not going to assist them in producing this monstrosity.
8.10 p.m.

Mr. Speaker, I will support with all the strength at my disposal the motion by the hon. senior member for Christ Church that the matter be referred to a Select Committee. If we vote for the second reading, it is merely that we accept the princple that something should be done to protect sugar factories from the possibility of having their operation suspended in the middle of a crop but not because we support this method of going about it.

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

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

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

Mr. TALMA: Mr. Speaker, I beg to move formally that this Bill be sent to Select Committee and for the numerous reasons which I have adduced and which have been supported by the hon. senior member for St. Philip. I think it is hardly necessary to reiterate the various reasons adduced, but on the face of the Objects and Reasons of this Bill, you will see that there are certain misleading statements in them. First of all, the objects and Reasons give the impression that the civil rights of the individual are not being taken away and infringed upon. The right to bring a civil action will not legally be vested in the individual but in the District Council, if the Council thinks fit; therefore when the Bill on the face of it says that the individual will still be able to proceed under the Public Health Act, 1954, Part VIII, that is not so. Did the legal draftsman have a copy of the Public Health Act before him when he drafted this? If he had one, then he certainly did not exhibit much legal talent or he set about deliberately to mislead this House.

Sir, on the face of the Objects and Reasons of this Bill, the entire House is being misled because the rights of the individual will be taken away entirely. He no longer has any civil right to bring a civil action at all. It is the District Councils – the Northern, Southern or the City Council and it would be a very rare thing for the City Council – to institute such legal proceedings for statutory nuisances as set out under the Public Health Act. It is for the District Councils to decide. Which peasant, small proprietor or individual, whether large or small, would be able to direct or cause the Council to institute these legal proceedings or to prosecute cases with respect to this matter? Therefore to say on the face of this Bill that nothing has been done to infringe the rights of the individual is entirely misleading and wrong. If you want to take away the rights of the individual and start off with some sort of dictatorship, this is the first step; if you want to pass legislation which would create a dictatorship, then this is the first step. You cannot bring an action against a sugar factory which does not use any device or equipment for abating smoke and what in normal instances would be a glaring nuisance. The average Barbadian is so poor, and because of that he has to contend with the necessities of life; therefore it is well-known that he cannot find the money to institute any legal proceedings or to file any action of a civil nature against a sugar factory creating a nuisance. He could not find the money to open the Court. He cannot even find the money to keep life and limb together far less to open an action against a sugar baron for creating a nuisance; therefore you are out to victimise the very people whom you claim to represent.

Mr. SPEAKER: I am afraid that the hon. member is continuing to go over many of the points which he made in his second reading speech. I am afraid that he is now making another second reading speech.

Mr. TALMA: Mr. Speaker, I appreciate what you have said but I did not speak at any length during my second reading speech and I am now elaborating. I spoke sufficiently long enough then merely to indicate to my colleagues the points at issue.

Mr. SPEAKER: At any rate, you are not now elaborating you are making a second reading speech.

Mr. TALMA: I am about to explain how in actual practice it would affect the civil rights of the individual. I made in my second reading speech the point as regards the general principle and left it at that. I did not make any sort of electioneering speech. I merely on the face of it pointed out the glaring misleading points of the Bill and pointed out that what is being stated in the Bill would not be possible.

I am now trying to explain for the benefit of my colleagues and also for certain members of the Government that it would affect each and every individual, as the hon. senior member for St. Philip has pointed out, and it would be a means whereby the tourist trade would be hampered as well as the development of the country. What the Government is lending money for would be hampered because no protection is made here for those people at all. There is no protection offered to these investors; there is no protection offered to the average man in the street who has had to stand up to this nuisance over all these years.
8.20 p.m.
Far from granting the average individual some measure of protection, you are now allowing the sugar factories to create a bigger nuisance.

Mr. SPEAKER: The hon. member should give the reasons for sending this Bill to a Select Committee. That is what we want.

Mr. TALMA: Mr. Speaker, I think that I have given some of the reasons for sending this Bill to a Select Committee and I do not care to go into every reason. I think I have given enough. If they want to pass bad legislation, well, they are the Government in power; they can pass bad legislation, and when it goes to the other Chamber, if the members over there go into it carefully, they will see the glaring defects in it just as they saw them in the Domestic Employees Bill, and they will send the legislation back to this House. I am submitting that if this Bill goes to Select Committee you can appoint members who will attend the meetings and get something done. The sugar factories should be protected but not at the expense of the civil rights of the individual.

Mr. TUDOR: Mr. Speaker, I do not pretend to understand at the first glance all the possible significance of a Bill of this nature, but I can understand the reasons why this Bill should be sent to a Select Committee. I represent a constituency a part of which, for six months of every year, understand quite clearly and quite inconveniently what a nuisance there can be from factory smoke. Almost opposite, as the crow flies, to St. Lucy's Parish Church there is Fairfield Factory. Your Honour and other hon. members know that from the time that the crop starts, anybody who sits in any pew in any part of that Church emerges from the service with dirty clothes. That is something which has been going on even before I had the honour of representing the parish. Not only the churchgoers but anybody who lives in the vicinity of Benthams, Hannays or in the Nestfield corner, will tell you that people do as much as they can to keep their houses clean, apart from keeping the soot from getting into their pots and pans. If for no other reason than interest in my constituency – I know that my colleague will support me in this – those matters mentioned have been very vital matters as to why this Bill should be put before the scrutiny of a Select Committee.

We do not urge the appointment of Select Committees of this House for one moment if we want to delay legislation; if we were out for opposing this legislation we would have divided the House on the second reading of the Bill. We had hoped that the points made by my colleague would have given the hon. Introducer reasons for pausing and reflecting on the seriousness of the situation arising out of the Bill. Any Legislature, in the British Commonwealth

at any rate, should always take second thought when a charge is made in the course of a debate to the effect that the rights of the citizens are being infringed upon. It is no part of Parliament to infringe upon the rights of the individual, but it should protect them. If, for no other reason, that there may be residents living near sugar factories who, either directly or indirectly, may want to meet the members of the House in the nature of their deliberations - if that reason does not gain them, then there is the greater reason that the Bill does not do what it sets out to do, but perhaps it inhibits or restricts the right of the individual. I think that that is the most appealing or cogent reason for taking this Bill to a Select Committee. It is no part of this or any other Legislature to inhibit or limit the right of individuals from getting redress from grievances in the Courts of Law. Therefore I feel that on the other side.....

Mr. SPEAKER: Does the hon. member want to finish his motion?

Mr. TUDOR: On this matter of sending this Bill to a Select Committee, I believe that the matter is controversial unless the hon. members opposite agree.....

At this stage, it now being 8.30 p.m. of the clock,

Mr. SPEAKER: This is the moment of interruption.

Mr. TUDOR: Mr. Speaker, could you enquire from the members of the Government if they are willing to agree to send this Bill to a Select Committee?

Mr. SPEAKER: There does not seem to be any agreement on that point and the matter cannot be dealt with any further at this stage. Is there any other matter which is not controversial and which can be disposed of? It will have to be finished within half of an hour.

ADJOURNMENT

The Order Paper having been fixed,

Hon. R. G. MAPP: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday next 11th July, 1961 at 12 o'clock (Noon).

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

The question that this House do now adjourn until Tuesday next, 11th July, 1961, at 12 o'clock (noon) was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

8.35 p.m.