
THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1962

HOUSE OF ASSEMBLY

Tuesday, 16th January, 1962.

Pursuant to the adjournment, the House of Assembly met at 3.00 p.m. o'clock today.

PRESENT

His Honour Mr. J. E. T. BRANCKER, Q.C., (*Speaker*); Mr. L. E. SMITH, J.P.; Mr. F. C. GODDARD; Mr. E. ST.A. HOLDER, J.P.; Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries*); Mr. J. W. CORBIN; Hon. G. G. FERGUSON, (*Minister of Communications, Works, Housing and Tourism*); Mr. W. A. COWARD; Mr. R. StC. WEEKES; Mr. W. R. LOWE; Mr. E. L. CARMICHAEL, (*Deputy Speaker*); Mr. L. A. LYNCH; Mr. G. V. BATSON, (*Chairman of Committees*); Mr. N. W. BOXILL; Mr. J. B. YEARWOOD and Hon. A. DaC. EDWARDS, (*Minister of Social Services*).

Prayers were read.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the first meeting for this Session have been printed and circulated amongst hon. members, and unless there be any objection, those Minutes will be taken as read and duly confirmed.

There being no objection, those Minutes are hereby confirmed.

PAPERS LAID

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. Premier and Minister of Finance, I am commanded to lay Message No. 12/1961 from His Excellency the Governor to the Honourable the House of Assembly regarding appointments to the Executive Committee.

The Message reads as follows:-

Message No. 12/1961

HIS EXCELLENCY THE GOVERNOR

TO

THE HONOURABLE THE HOUSE OF ASSEMBLY

His Excellency the Governor has the honour to inform the Honourable the House of Assembly that pursuant to the provisions of the Executive Committee Act, 1891, he has appointed the following members of the Honourable the House of Assembly to be members of the Executive Committee under and in accordance with the provisions of that Act:-

The Honourable E. W. Barrow, M.C.P.
The Honourable W. A. Crawford, M.C.P.
The Honourable C. E. Talma, M.C.P.
The Honourable J. C. Tudor, M.C.P.
The Honourable G. G. Fergusson, M.C.P.
The Honourable A. DaC. Edwards, M.C.P.

Also on behalf of the Hon. Minister of Development, Trade, Industry and Labour, I am commanded to lay the Customs Duties (Materials and Equipment for the Caribbean Exhibition (Barbados) 1962) Order, 1962.

Hon. A. DaC. EDWARDS: Mr. Speaker, I am commanded to lay the Barbados Annual Report of the Director of Medical Services for the year 1958-59.

GOVERNMENT NOTICES

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. Premier and Minister of Finance, I beg to give notice of the following:-

Resolution to place the sum of \$144,853 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1961-62, Part I - Current, as shown in the supplementary estimates 1961-62, No. 37 which forms the Schedule to the Resolution.

Also, on behalf of the Hon. Premier and Minister of Finance, I beg to give notice of the following:-

A Bill to enable effect to be given to an International Convention for the suppression of Counterfeiting Currency, signed on behalf of His Majesty at Geneva on the twentieth day of April, nineteen hundred and twenty-nine, to apply to foreign coin certain enactments relating to British Coin, and to assimilate the penalties for importing counterfeit coin.

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

Resolution to approve that with effect from the first day of February, 1962, the postage on parcels to Canada as set out in the Schedule to Resolution No. 71/1960 shall be varied as shown in the Schedule hereto.

Resolution to approve that with effect from the first day of February, 1962, air mail postage on parcels to Canada as set out in the Schedule to the Resolution No. 72/1960 shall be varied as shown in the Schedule hereto.

COMMITTEE OF SUPPLY

Hon. J. C. TUDOR: Mr. Speaker, I rise 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.

QUESTIONS

Mr. MILLER: To enquire of the Hon. Premier:-

Is the Premier aware that there are widespread reports, recently referred to in certain sections of the Local Press, of monies missing from the Deep Water Harbour, the Accountant General's Office, the Government Ministries?

2. Will the Premier make a statement on this matter, and state what are the facts?

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

Is Government aware of the difficulty experienced by villagers in this island who do not live adjacent to the public highway in having an electric service in their homes owing to the high cost of the installation fees charged by the Barbados Light and Power Co. Ltd?

2. Will Government take steps to subsidise the installation of such services in areas where the residents are unable to meet the cost in full?

To enquire of the Appropriate Minister:-

Will Government state when will the construction of the East Coast Road commence?

To enquire of the Appropriate Minister:-

Will the Honourable Minister, at his earliest convenience, make a Progress Report on the provision of a Housing Scheme at Lammings Plantation in the parish of Saint Joseph?

To enquire of the Appropriate Minister:-

Will Government, as soon as possible, provide a water service in each and every home in this island?

2. If the answer to No. 1, is in the negative, will Government in the alternative, provide stand posts at distances of not more than 100 yards apart in each village throughout the Island?

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

Will Government consider the extending of the road from Tent Bay to Foster Hall?

2. If the answer is in the negative, will Government state why?
3.15 p.m.

To enquire of the Appropriate Minister:-

Will Government consider the advisability of turning in water on an entire pay-later basis to a limited number of houses annually, until every house in the Island has water installed?

2. If the answer is in the negative, will Government state why?

Mr. HUSBANDS: To enquire of the Minister of Social Services:-

Will the Government consider favourably and establish a branch of the Unemployment Exchange in Speightstown in St. Peter to facilitate the workers in the Northern parishes of the Island?

To enquire of the Minister of Social Services:-

Will the Government consider changing the day of paying the Old Age Pensioners in St. Peter from Saturday to Friday owing to traffic conditions in Speightstown on Saturday mornings?

RESOLUTION re PAYMENT OF OLD AGE PENSIONERS

Mr. SPEAKER: Due to an oversight, I did not call on the hon. member for St. Philip in connection with his Resolution. I do so now.

Mr. WEEKES: WHEREAS Old Age Pensioners of this island suffer great inconvenience and hardship in travelling to the various venues provided for payment of their pensions;

AND WHEREAS accommodation at these venues is often unsuitable, having regard to their age and the long distances which they often have to travel to receive the same;

BE IT RESOLVED that steps be taken to appoint a Committee to deal with the whole matter, under the following terms of reference:-

(a) to examine the present system of payment, and

(b) to consider whether some method can be made with the possibility of payments at their homes.

BILL READ A FIRST TIME

On motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, the Bill to enable effect to be given to an International Convention for the suppression of Counterfeiting Currency, signed on behalf of His Majesty at Geneva on the twentieth day of April, nineteen hundred and twenty-nine, to apply to foreign coin certain enactments relating to British Coin, and to assimilate the penalties for importing counterfeit coin, was read a first time.

COMMUNICATION FROM HIS EXCELLENCY re LEADER OF OPPOSITION

Mr. SPEAKER: I have the honour to inform the House that late yesterday afternoon I was in receipt of a communication from His Excellency the Governor in respect of the office in this House of Leader of Her Majesty's Opposition. That communication is receiving my urgent and earnest attention and an announcement will be made at the first meeting of this House after next weekend.

PRIVATE MEMBERS' BUSINESS

Mr. SPEAKER: Order No. 1, stands in the name of the hon. senior member for St. Peter whose place, I observe, is vacant. Likewise, Order No. 2 stands in the name of the same hon. member.

RESOLUTION re AWARD OF CONTRACTS OF MEAT IN LOCAL GOVERNMENT AREAS

Mr. SPEAKER: Order No. 3 stands in the name of the hon. junior member for St. Joseph: To move the passing of a Resolution re award of contracts of meat, bread and groceries in Local Government Areas.

Mr. SMITH: Mr. Speaker, the Resolution reads as follows:

WHEREAS tenders for the contract of meat, bread and groceries are awarded *en bloc* for each area administered by a Local Government Council;

BE IT RESOLVED that the Local Government Act, 1958 be so amended as to make it possible for awards of such contract be made for each parish and not for each area heretofore.

Mr. Speaker, this is a Resolution which needs attention as far as small suppliers of these commodities are concerned. At present, under the Local Government Act, if a Local Government Council is going to spend more than \$500 it has to call for tenders. Now, when a Local Government Council calls for tenders and a small supplier does not interest himself or herself in making a tender, or sometimes when because he is small he applies for a tender, he or she gets squeezed clean out because they know very little about it. We have found that because of the wording of the Act as regards supplying goods it is causing great difficulty to the small butchers and shopkeepers in the country. It has caused a great loss to those people who were supplying Lo-

cal Government institutions in the country areas for years. Let us take, for instance, the supplying of meat to these institutions. It used to be supplied by a local butcher of each parish; but today on account of having to award contracts, one large supplier is the fortunate person to supply this meat and that supplier lives out of the parish. In other words, he resides in Bridgetown.

Now, Sir, if the Act were to be so amended either to leave out the figure of \$500, or to raise that figure to a few thousand dollars or to delete it altogether, this difficulty would not arise. Take it out altogether so that the small supplier will be in a position as heretofore to supply meat to the institution of the parish to which he belongs. I say that because these small suppliers in the small country areas are taxpayers and I feel it is not fair to allow such an Act to remain on the Statute Book so as to suffer the small suppliers. These small suppliers should be considered, rather than one large supplier having the whole thing in hand. These small people are at their own mercies and they are losing business on account of this Clause in the Act. As I have said, they live in the parish and they are paying taxes; the large supplier does not pay taxes in the parish.

We should at all times allow laws to remain on the Statute Book so as to let those who cannot help themselves be able to help themselves. We have found out in the Northern District that these small suppliers are shut clean out because of this Statute and it is causing big dissatisfaction among them and among the representatives of the parishes too, because these people do not know the setup and they are blaming the representatives for doing things to hamper them.
3.35 p.m.

There is one thing, we cannot get out of it; they have lost business by it. I am sure that if hon. members were to take their duties seriously they would clearly see that this is an amendment which is needed immediately. We should not try to do things which will harm other people, especially the small people in the country areas; we must not do anything to encourage more unemployment than what we have already. With those few remarks, Mr. Speaker, I beg to move that this Resolution do now pass.

Mr. HOLDER: I beg to second that.

Mr. CORBIN: Mr. Speaker, this Resolution which we now have before us, seeks to change something which has been giving trouble long ago. The small butchers in the various districts were unable to purchase stock so as to maintain and supply the various institutions with meat, and for that reason the appropriate authorities had to approach various centres in order to get this meat. These authorities had to approach Speightstown, Bridgetown or any other place so as to get this meat. At some times the small butchers were unable to purchase stock and therefore, in order to supply the institutions with meat, the authorities had to approach the Central Government so as to get that meat for the supply of the inmates at these institutions. I am not against the small contractors at all. If I were a contractor I would negotiate with the butchers at the Central Market whence I would be able to supply the meat and I would have to have a substitute for meat; otherwise I would be unable to supply that meat and the poor inmates of the institutions would have to go neglected.

Mr. Speaker, I would not speak against this Resolution because I know that the butchers have to pay their taxes, and therefore I believe that they should have the preference to supply the various institutions with meat if they are in a position of meeting the request at all times. The contractor has a right to supply fresh meat of all kinds; that should be his duty, and when he cannot get one thing he should be able to supply the other. That is to say, that if he cannot supply meat he should be able to supply fish. When he fails to supply either meat or fish he will then have to give the contract up to someone else. There should be a penalty whereby, if he fails more than once to supply meat without giving any notice beforehand, he should be placed on a bond so as to make him understand that he will have to perform his duties at all times. If he cannot get meat in his

particular parish then he will have to negotiate with other districts so that he can give satisfaction to the persons with whom he has signed the contract. Mr. Speaker, I am supporting this Resolution in order to help the poor man in the various districts; I am in agreement with this Resolution.

Mr. BOXILL and Mr. COWARD rose to speak.

Mr. SPEAKER: The hon. junior member for St. Thomas caught my eye first.

Mr. BOXILL: Mr. Speaker, something has struck me rather forcibly. The hon. junior member for St. Joseph has been a member of this Chamber for, I think, the past seventeen years. He is also one who was in consort with that former piece of legislation which took the contract out of the hand of the small man; now he has the brass to come in here in trying to play to the public, bringing forward this sort of Resolution and expecting us to vote for it. If the Government votes for it, well, then, I will support it; otherwise I will vote against it. However, I repeat that for the past seventeen years these indifferences have been taking place and the hon. member sat in this House and never uttered a word about them other than when he was sitting as Chairman of Committees and asking people not to raise their voices.

Mr. SPEAKER: I should like to inform the hon. member that the hon. junior member for St. Joseph in the previous Session was the Deputy Speaker of this House.

Mr. BOXILL: Thank you, Mr. Speaker. The hon. member now knows that these things have created a burden on the small man. I am asking the hon. member if he were asleep when that legislation was passed by the former Government which the people of this island have now seen fit to throw out, thank God. Mr. Speaker, I cannot see how my Government will vote for this Resolution. Of course, it is a good Resolution because it will provide employment for the underdog; anyhow, I cannot help thinking that the hon. member sat in here for the past seventeen years and he only now knows, since this Government is in power, that these things were injustices! He never knew before that these things were taking place because he must have been asleep! I hope that we will be able to keep him awake and not allow him to thrust things down our throats in order that he can say that he had such-and-such a Resolution passed. We are here in the interest of the people, but we cannot allow the hon. member to get up in here with these fantastic Resolutions. The hon. member should have suggested these things to his Government when they were in power.
3.35 p.m.

I am sorry that I had to start my maiden speech in such a manner, but it will give him an idea that he cannot come in here and expect that just because he is playing to the Gallery we are going to bite at every bit of bait he brings to us.

Mr. COWARD: Mr. Speaker, it is true to say that I am a councillor for the Northern Area, and that under Section 221 of the Local Government Act contracts of commodities were awarded. I always have sympathy for the small businessman, because I know the hard struggle which a small businessman has in order to exist. As you may know, all the businesses have to pay rates and taxes, and I think the last Government had made an error when they appointed a Contracts Committee or Tenders Committee, whichever is the title, and most of these contracts were awarded to firms and single persons. I am not a party to that.

Mr. Speaker, I would like to know if this Resolution can override the Act or whether we have got to work towards amending the Act in order to authorise the authorities to issue the contracts separately to the parish and not to the area. Whatever is the procedure, I am in favour of separate parishes so that we may be able to give the contracts to people in the parish.

Mr. CARMICHAEL: Mr. Speaker, this Resolution on the surface may appear good, but as the hon. member for

St. Andrew has said, one has to beware that in curing one evil two or three more are not created in the sense that while it may be good for the poor butcher to be given an opportunity to exercise his trade, one has to beware that in favouring or seeing about his interest, a hardship may not be created on the poor persons in institutions. This is just to confirm what the hon. member for St. Andrew has said. The Resolution on the surface may be good, but necessary safeguards should be adhered to.

Mr. MOTTLEY: Mr. Speaker, I was not in time to hear the views expressed by the hon. member for St. Joseph, but sometimes I smile to think that the hon. member who has brought this in had to be a party to the Government who brought it in, thinking that they were getting at some people. As a matter of fact, there is nothing in this Act at all that can be construed to say that you must have tenders. I am going to put it as strongly as this to you. The hon. member's Government ran the Hospital for the longest time and for several years they never tendered for a tremendous lot of things.

As far as this Act is concerned, I understand that the hon. member would like — judging from his Resolution — to be able to tender so that instead of tendering *en bloc* for the six or seven parishes, they should be able to tender in \$500 lots or something of the sort. I do not know who has been their legal adviser, but they had so many confused legal advisers to these various Councils that unless you had the courage and the guts to take that courage into your hands, the Government made these laws, the Government got them through in here, the Government controlled the Council....

Mr. SPEAKER: When the hon. member says "the Council", I take it he means the other Chamber; or does he mean the District Councils?

Mr. MOTTLEY: I do, Sir. They controlled the District Councils, and therefore when it suited them they asked for tenders and when it did not suit them, they did not ask. As a matter of fact, I do not see anything here for this House of Assembly to interfere with. If you were running the Councils, why come and amend this today? As far as I am concerned, I have always felt that when the Legislature passes laws it was not for any one lawyer to interpret, but for the Judiciary to interpret these laws; and therefore when the Attorney General or anybody gave an opinion, it was the right of the Councils, including the Bridgetown City Council, to take their opinions from the lawyers and if they differed, and anybody wanted to, he could go and have the Judiciary interpret what the Legislature meant.

As far as I am concerned, quite frankly I do not see the necessity for bringing this Resolution in for the simple reason that nothing prevents a Council as elected, as long as they get proper quotations, from giving the business to one, two, three or more people. That is how I see it and I really regret I cannot support the Resolution. I personally think that the Resolution is unnecessary, because as I said, if the Northern District Council or the Southern District Council knew what they were doing and became acquainted with the Act instead of allowing the Local Government Commissioner to come and tell them what members of the Governor-in-Executive Committee told him to tell them they had to do, they would have been able to carry this out without having the repercussions now or the hon. member coming in here with complaints.

The same thing that the hon. member is complaining of, there was an attempt to thrust it upon me and the Bridgetown City Council, but we brushed it aside because we had the courage of our convictions and we were always ready to show to Government that we did not intend to follow them in the bad example in some of the things which they did. In our opinion, wherever we thought it possible and right and wherever we thought it necessary for the purpose of awarding contracts, we did so despite the vicious, vile and wicked statements by members of the Party of the hon. member who brought this Resolution that the Bridgetown City Council was always dishonourable.

3.45 p.m.

We did that too despite the vicious, reckless statements by the last — I regret I cannot say late — Minister of Trade, that the Bridgetown City Council sat down and awarded contracts to themselves. Of course, the last elections have shown and condemned him as one second only to Annanias.

I regret that the hon. junior member for St. Joseph has not been more acquainted with the Act because, if he were, he would have been able to tell the Local Government Commissioner who was advising that Council that he was not a lawyer and he was prepared to take the advice of the lawyer whom they had retained. If the Attorney General gave that advice which the Local Government Commissioner tendered and the lawyer whom the Council retained gave different advice, then it would mean that they would have to allow the Chief Justice to judge the case.

Sir, I do not see that there is any necessity to come in here with this Resolution to do what the hon. member says. I did not hear all that the Hon. Introducer of the Resolution had to say, but I take it that what he wanted to say was that all who awarded these contracts should have been able to divide the contracts among different persons. I believe I heard some hon. member saying that they wanted to allow the small man to get some of the benefit. As the Act stands, nothing can prevent the small man from getting some of the benefits. Of course, if you are going to do exactly what the Local Government Commissioner told you to do, then you will have no real voice. As the law stands now, a Council can sit down and give its business of supplying to several different suppliers just as the Bridgetown City Council has done. As a matter of fact, I can well remember when the ex-Minister of Trade in this House proclaimed on a housetop to the general public that I, as Mayor of Bridgetown, gave all the meat business to the hon. junior member for Christ Church on my left. I invited the Local Government Commissioner and the Auditor General to go to the office and they will find that we divided that business between three people who were in similar business and that they will also see that the firm of the hon. member on my left got the least of that business. I speak of the meat business which was divided between Mr. Springer, Mr. Gill and Mr. Goddard. If the members of the Bridgetown City Council had sat down and followed what the Local Government Commissioner wanted us to do, that is to say, to give it all to one person, of course the bigger person who would have been able to send in a cheaper tender would have got it.

Sir, I do not see the necessity for this Resolution and I counsel the Government not to consider it for the simple reason that the Councils so advised — the Northern and Southern District Councils — were comprised of members of the political party to which the former Government belonged and of which the Hon. Introducer of this Resolution was a member. I believe genuinely that the Hon. Mover of this Resolution feels that something should be done to the Act to be able to give them the authority or power to award these tenders to small people, but I believe that when he put forward that view to the Northern District Council he was dominated by the Chairman of the Council in that area who thought that he was the law and did not want to take legal opinions from anybody else. That is the reason why the hon. junior member has brought down this Resolution.

I regret that I cannot support this. As a matter of fact, I do not think that this is necessary. I am only repeating what the legal luminaries have told me. It was brought home to members of the Bridgetown City Council that the then Government could make no regulations which could override the Statute Law. The Statute Law did not say that if you did so-and-so, then you must enter into a contract; you may do so-and-so, but that does not mean that you should enter into a contract. Of course, if you do enter into a contract, then they say that is what you must do. The law does not say that you have to enter into a contract. We took the opinion of our lawyer on what is a contract. We were told that if, say, we bought butchers' meat over the counter, that was not a contract but if we asked to have the prices quoted that that was a different matter.

I remember very well when we were faced with a similar situation that we discussed the matter with the

Tenders Committee and the Committee pointed out what we should go into contract for and what we should not worry to go into contract for. There were a lot of things for which it was not necessary to call for tenders. Take, for instance, the question of supplying condensed milk at the time. We discovered from experience that if the lowest tender for that item which was 14 cents or 15 cents at the time was taken, it would be all well and good when it was in supply to get it at that price, but you never knew when it was going to be in short supply. When it was in short supply you could not do anything to make him supply it to you. As I said, we pointed out those things to the Tenders Committee which fully realised the situation and the Committee gave the green light to the City Council to go ahead and buy these things in the way we always bought them. I will say this; if you had to call for supplies of milk or bread, then you will have to call for tenders and you will have to enter into a contract; therefore, you should do it the way in which the Act lays it down. As I have said, there is nothing in the Act to say that you should enter into a contract.

Sir, I am surprised to hear that the hon. member has raised this question because it has been raised after three years of the operation of Local Government and it has been raised only after a change of Government. I regret that I cannot support it. Prices of commodities are practically fixed today; and from my experience, at times it is better to divide the business between similar people in the business. There is nothing in the law to prevent you from dividing the business between those people. As I have said, we of the Bridgetown City Council have retained lawyers and they have advised us that it is not necessary to enter into a contract. I think the hon. member feels that if you add these things together and they make \$500, then you must enter into a contract. That is not so. That is why I regret very much that he has brought this Resolution. I cannot support it. The whole of this is that you want an honest straightforward man doing the business and not someone who wants to get a pat on the back for giving someone business. I think the Hon. Mover of this Resolution is quite sincere.

Mr. BATSON: Mr. Speaker, I was very surprised when I received this Resolution coming from the hon. junior member for St. Joseph because the hon. member was a member of the former Government. Now, today, we are hearing him speaking in a different vein from how he spoke when his Party was in power. In the parish which I have the honour to represent, it has been brought to my attention that the ex-Minister of Trade took away a contract of supplying bread to an institution there from a small bakery and gave it to a large concern in Bridgetown. I am surprised to see the hon. junior member for St. Joseph speaking so forcibly on this Resolution when he was a party to gross injustice to a small bakery in the parish in St. Thomas which I now have the honour to represent.

3.55 p.m.

This small baker used to supply bread to the St. Thomas' Infirmary and the ex-Minister knowing that, took away the contract from this small baker and gave it to a large concern to the disgust of several parishioners of St. Thomas. Mr. Speaker, I have just risen in order to draw to the attention of this Chamber the injustice which had originally been perpetuated by the former Government when the hon. junior member for St. Joseph was a party to such a policy, and therefore he was in a position to stop it and correct the Minister if the Minister did not know any better. (Laughter). Today, the hon. member is coming in here and trying to put something down the throats of people, who know better than he of the sufferings of the poor. The hon. member's Government never subscribed to anything for the poor, especially when contracts were being awarded. We intend to rectify such things which have been in existence for so long a period; it is surprising that the hon. junior member for St. Joseph can only now draw attention to something which was in existence during the term of office of his Party.

Mr. HUSBANDS: Mr. Speaker, as a member of Parliament who has never had any experience either as a Vestryman or a Councillor under the new Local Government Act, I am able to speak without any bias whatever in this matter. I have been enlightened in a few things today, things

which I have been alarmed about and to which I should come later on. The hon. introducer of this Resolution has sought to bring to the attention of this House what he considers as an injustice that is being still perpetrated against the interest of small traders. If that is the principle which the hon. introducer of this Resolution is fighting and fighting honestly, I do not think that there is a single member sitting around this horseshoe who would attempt to resist him. Nowadays everybody says that he is a Socialist, or something akin to a Socialist; therefore if the hon. junior member for St. Joseph is honestly striving to rectify a wrong, there is no argument or any validity in any argument to accuse him even at this late hour of trying to make right something which was wrong. As a matter of fact, this Government will be no exception because Governments in their own wisdom discover that they have left undone the things which they ought to have done. I have no reason to disbelieve that the Government in power will some day know that they have left undone something which they should have done. That has happened to every Government under the sun. As an independent I can look at Government and Opposition and be fair to both sides. I am glad that I can be fair to both sides.

I do not agree with the hon. senior member for the City. As a matter of fact, I made certain *sotto voce* remarks to the hon. introducer of the Resolution and I told him that I was rather surprised at the brevity of his speech. I think that there is a lot which the hon. member should have explained. He is of the opinion that there is some bond of \$500. If something goes over the value of \$500, the matter must be negotiated by contract. (Mr. MOTTLEY: That is not so.) Well, that is the impression which I have got; but whether the sum goes beyond \$500 or not, in the final analysis it is the Local Government Authority who has to award the contract. There is therefore under Section 221 of the Local Government Act, nothing which precludes a particular Authority from awarding a contract either to a small man or a big man. I see nothing under that Section of the Act which precludes that; there is no law on that matter. I am wondering if any Local Government Authority has escaped its responsibility and blamed the particular wording of the Act and knows that contracts have been awarded to a large concern when they could have been awarded to a small concern. After all, it is a question of who, when the awarding is done. I do not think that a change of the Act would make any difference. I do not think that you should have legislation enacted in such a manner that you cannot award a contract to a small businessman. I think that the responsibility lies fairly and squarely upon the shoulders of the Local Government Authority.

Mr. Speaker, I think that the hon. introducer of this Resolution has acted rather precipitately. As a matter of fact, I should have thought that in a problem like this which, in my opinion, would be common to the District Councils and the City Council as well, there should have been some unanimity of agreement. I have listened to the hon. introducer of this Resolution, to the hon. senior member for the City, who is an experienced Councillor, and to the hon. senior member for St. Andrew who has expressed another view. The hon. senior member for St. Andrew has expressed the view that, in his opinion, there have been times when, had the contract been awarded to the small businessman or firm, the supply of meat or other commodity might not have been forthcoming. This is a matter therefore, in which, in my opinion, the several Councils having common experience in this business, would have been presenting a sort of united front. I think that there is much disunity in this matter. My candid opinion is that in the final analysis, it is the particular District Council who is responsible for awarding the contract and that tampering with legislation, if it is hoped that that responsibility would be taken off the shoulders of the particular District Council, is a wrong slant. Nobody in this day of grace should have such discriminating legislation as to put words in the Act to the effect that no large businessman or firm could get a contract. It is a question of who is who in authority who must award the contract. That is how I see it.

4.05 p.m.

I have had not experience in any form of Local Government; but of course I am a citizen and I know many business people, small and big. I will listen very attentively to the

introducer's reply, and unless I am convinced that there is nothing about to be done which is going to shift responsibility from where it rightly belongs and he asks me to subscribe to an amendment which is going to be obviously discriminating, I am not going to vote for it.

Mr. SPEAKER: Before the hon. member for St. Peter resumes his seat, I notice he said "everybody says they are Socialists now". I wonder if the hon. member would care to divulge whether he referred to members of this House when he says "everybody".

Mr. HUSBANDS: That was used very generally, including those who are not in here.

Mr. MILLER: I do not know if it would be proper to speak after the Minister.

Mr. SPEAKER: I think the Minister might give way to those who wish to speak.

Mr. MILLER: I never want to speak when the Speaker is in the Chair after the Minister has replied, because it is improper.

Mr. SPEAKER: The hon. member has given way to the member for St. George.

Mr. MILLER: Mr. Speaker, there is so much discussion on this matter, but when it is carefully examined, it is such a very simple matter. The hon. junior member for St. Joseph is simply asking Government to consider his case of amending the Local Government Act. You will remember, Sir, when the Act was passed and people interested indirectly in the functions.....

Mr. SPEAKER: I want to hear only the hon. member who is standing, and that is the hon. junior member for St. George.

Mr. MILLER: We were told it was almost 100 years of patch-work in the United Kingdom and to make it workable it would involve a good deal of time and effort to fit it into local conditions. We are at the end of the first three years of Local Government and the hon. member for St. Joseph is now satisfied that it is about time that he should ask Government to amend the Act. That is all it really means. However, Sir, we are up against a little problem, that is, where you fix the contract, whether in the Act, Schedule or Regulations or whatever you have, for a minimum of \$500 and rather than have to make contracts for the Local Government area which you will appreciate is six parishes, you should make it flexible.....

Mr. SPEAKER: Perhaps the hon. member could change his microphone.

Mr. MILLER: The question is whether or not you should amend this Act. We were told at the time that this would need thousands of amendments before it was regarded as workable, and this is the first occasion, now that we are at the end of the first three years, of asking for a very simple amendment whereby rather than making contracts for six parishes in the North, Government would be willing to bring about a simple amendment where the contracts could be made for the parishes, that is, the six parishes which comprise the Council in the North.

There were a number of things said about this matter and a lot of criticism about a Minister and what not, but Mr. Speaker, you would agree that we have long left the election platform and should now get down to the business of Parliament. The hon. member is referring to the Estimates as though the former Minister who controlled Local Government in this House could change a contract of some contractor in the City. At least the hon. member for St. Thomas knows that is not possible because all tenders are handled through a Tenders Committee of which no Minister can be a member. To say that a Minister would take away a contract from someone to give someone else is wrong, because there is a Tenders Committee and no Minister is permitted to sit on it, and the Minister of Social Services who probably is now handling Local Government could con-

firm this; but there is so much to be done in the interest of the country that I am wondering if we should continue to waste time on what may be unnecessary, when the hon. junior member for St. Joseph is asking Government to consider a very simple amendment that would make it flexible in order to make the Council in the Northern Area responsible for awarding contracts.

Mr. HOLDER: Mr. Speaker, I have been listening rather carefully.....

Mr. SPEAKER: The hon. member for St. James seconded the motion for the passing of this Resolution, and at the time he so acted I did not hear him indicate that he proposed to seek the leave of the House to speak later. Of course, the hon. member may ask leave of the House to speak.

Mr. HOLDER: Mr. Speaker, may I have leave of the House to speak on this matter?

Mr. SPEAKER: The hon. member is asking leave of the House to speak on this matter, not having asked leave to speak before he sat down after seconding the motion. Is it the wish of this House that the hon. member may have leave? I hear no dissenting voice. The hon. member may proceed.

Mr. HOLDER: Thanks, Mr. Speaker. Speaking on this Resolution, I do feel that it is a bit flexible. As Chairman of the District Council for the first year, I had no trouble whatever in these tenders. There is one hon. member who, I think, has studied the Act rather carefully. We know that the Local Government has brought all six parishes into one, therefore it is an area; but that \$500 which is being talked about, as far as I interpret the law, means that when you are going to do business over \$500 you have to go to tenders. The Council is controlled by a Tenders Committee, and no ex-Minister or anybody outside can interfere with them, and when you have advertised for tenders and these tenders come in a proper way, nobody knows whom they are from, and when the Committee sits to discuss these tenders, I have seen that the tenders can be awarded as the Committee feels fit.

In the first year under my Chairmanship I remember that meat for the almshouses went back to the former contractors and this is also true with milk and things of this sort; but it was only in the overall picture where groceries were concerned that it was divided between different firms; therefore there is something flexible about the law. If it were not so, we could not have had that done in the first year. I do feel that if after that year tenders were awarded and the butchers in the area or those who were supplying milk suffered, it is the duty now of the Boards and the Tenders Committee to take that Act and study it very carefully.
4.15 p.m.

I will say this. The first Tenders Committee on which I sat lasted about four hours and I would not give in from my point of view. I read the Act and from it I could see that you can do certain things. I, therefore, did not go out of my way to do certain things. The supplying of certain items were given out to the small suppliers in the area but when it came to the supplying of heavy things, like groceries, we gave them out on tender. We gave out a lot of things on tender and those tenders were not awarded to one firm but to several firms. However, I will say this. If anything has arisen, if you find that because you have to give out certain things on tender it is creating a hardship, I feel that if an amendment can be made to the Act we should do so.

Hon. A. DaC. EDWARDS: Mr. Speaker, I would like to make it quite clear that members on this side of the House are not going to vote for this Resolution because we feel it is not necessary. There is nothing in the Act as far as I can see which is really wrong. What may need amendment, as far as I can see, would be the regulations for carrying out of the Act. There is nothing wrong in the Act; therefore, I think this Resolution is out of place. I do not think we should make a mountain of a mole heap nor should we hold

ourselves responsible for the narrow sightedness of the Party to which the hon. junior member for St. Joseph belongs. It was his Party and the Minister of Social Services then which were responsible for the regulations.

Mr. F. E. MILLER: Mr. Speaker, for the benefit of the hon. member.

Mr. SPEAKER: Has the hon. member risen on a point of order?

Mr. MILLER: Mr. Speaker, I rise on a point of order; I am asking the Hon. Minister to give way. I was not responsible for Local Government; the then Premier was responsible for that.

Hon. A. DaC. EDWARDS: I have not heard the hon. junior member for St. George.

Mr. SPEAKER: The hon. member said that it was the Hon. Premier in the previous Government, the then hon. junior member for St. Thomas, who was in charge of Local Government.

Hon. A. DaC. EDWARDS: I thank the hon. member for the correction but it seems to me pretty strange. However, Sir, I am not going to waste the time of this exalted Chamber; I would just like to make it quite clear that while we on this side of the House do feel that something can be done about the regulations — and we will do whatever lies in our power to amend the regulations or perhaps to set up a Committee, if necessary, to go into the various regulations to the Act, we do not see it necessary to agree to pass this Resolution. Because of that, we on this side reject this Resolution.

Mr. SMITH: Mr. Speaker, it would appear to me that hon. members did not care to listen or did not listen to my opening remarks relative to this particular question. I mentioned in my opening remarks that the Northern District Council having to spend more than \$500 on items supplied to the various institutions called for tenders for the supply of those items. The hon. senior member for the City said that that \$500 wording in the Act is wrong.

Mr. MOTTLEY: I never said so at all.

Mr. SPEAKER: Will the hon. member say on what he has risen?

Mr. MOTTLEY: Sir, I rise on a point of order. What I said was this. You may call for tenders and if you called for tenders, the Act said that this is the way you should do it; but there was nothing in the Act to say that you should call for tenders.

Mr. SMITH: Mr. Speaker, the hon. member said that you may or you may not. What I am arguing is that the small suppliers in these Local Government areas have suffered a loss of trade through the awarding of these tenders to one particular individual. The hon. member said that it is wrong to give these things to one man. Well then, if it is wrong, I have not made it wrong. I have brought this Resolution to this House today so as to hear the views of the various members on this question. The question is, have these small traders suffered or not by this clause in the Act? If they have suffered, then I am right in bringing the Resolution regardless of if the tenders are wrong or the money is right. If the small traders have suffered, I am right. Bear in mind that I am not protecting small traders of St. Joseph alone because it is only an idiot who comes in here to say that he is protecting the people of one particular parish. Whenever something is done in this House

of Assembly, it is done for the whole Island. From the speeches of the various members on this matter, they think that I am talking of the small traders of St. Joseph alone. 4.25 p.m.

The butchers of St. Joseph do not supply meat to St. Lucy, St. James or St. Thomas and these have suffered as well; therefore, it is a matter for that particular member to get up here and make himself look ridiculous. I am dealing with an area of six parishes; that is what I am dealing with. Now, Sir, take the supply of bread, for instance. A particular parish would not exceed the value of \$500 in respect of bread. Some institutions only serve biscuits and bread is only supplied to the very sick people. (Mr. MOTTLEY: Shame!) There are some institutions which serve biscuits. Biscuits are not poisonous; as a matter of fact, I use biscuits more than I use bread (*Laughter*) The needs of this particular institution would not exceed the value of \$500 for bread. There are some institutions which use evaporated milk and some other institutions use cows' milk. And some others use both evaporated milk and cows' milk. Do you mean to say then that because the cows' milk is supplied to the very sick people and the evaporated milk is supplied to other people the evaporated milk is poisonous? There is nothing about which the hon. senior member for the City can shout "Shame". As I say, I use biscuits. (*ASIDES*) If you want to answer me you can.

Mr. SPEAKER: Will the hon. member address the Chair?

Mr. SMITH: I do not want this matter to be carried any further; if this thing needs to be changed, then this is the place for changing it. It is written in the Regulations that if the contract exceeds \$500 — well, you may or may not. I am very sceptical about interpretations because I went to one lawyer about a matter and he told me something and I went to another lawyer about the same matter and that other lawyer told me something else (*Laughter*). Therefore, I say that you have to be very careful about these interpretations with the legal minds. I repeat, you have to be very careful with interpretations.

At this stage, it now being 4.30 p.m. of the clock,

Mr. SPEAKER: It is now 4.30 p.m. of the clock when the consideration of Private Members' Business shall be concluded. There is no Government Business on the Order Paper for today.

THE ORDER PAPER

Hon. J. C. TUDOR: Mr. Speaker, in fixing the Order Paper for the next meeting, I am asking that Committee of Supply be the first Order of the Day.

Mr. SPEAKER: As to Private Members' Business, Order No. 3 which is under consideration, will become Order No. 1 unless hon. members ask that that be changed.

THE ADJOURNMENT

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday next, 23rd January, 1962, at 3 o'clock in the afternoon.

Hon. C. E. TALMA: I beg to second that.

The question that this House do now adjourn until Tuesday next, 23rd January, 1962, at 3 o'clock in the afternoon was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.