

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1962

HOUSE OF ASSEMBLY

Tuesday, 15th January, 1963.

Pursuant to the adjournment, the House of Assembly met at 2.30 p.m., o'clock today.

PRESENT

His Honour J. E. T. BRANCKER, Q.C., (*Speaker*); Mr. L. E. SMITH, J.P.; Mr. E. St.A. HOLDER, J.P.; Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries*); Hon. J. C. TUDOR, M.A., (*Minister of Education*); Mr. S. E. SEALEY; Hon. G. G. FERGUSON, (*Minister of Communications, Works and Housing*); Mr. R. St.C. WEEKES, J.P.; Mr. W. R. LOWE; His Honour E. L. CARMICHAEL, J.P., (*Deputy Speaker*); Mr. L. A. LYNCH, J.P.; Mr. G. V. BATSON, (*Chairman of Committees*); 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 meetings which were held on the 23rd October, 1962, 6th November, 1962 and 13th November, 1962, have been printed and circulated and unless there is any objection, those Minutes will be taken as read and confirmed. (*After a pause*). Hearing no objection in respect of those Minutes, I hereby declare that each of them is confirmed.

Hon. W. A. CRAWFORD entered the House and took his seat.

ILLNESS OF THE CHAPLAIN

Mr. SPEAKER: I have the honour to inform the House with regret, that I have received a letter dated 14th January, 1963, from our Chaplain, Reverend S. A. E. Coleman, expressing his regret at his inability to be present at this meeting of the House and stating that he has been advised by his Medical Attendant, Hon. Sir Grey Massiah, to ask this House for two months' sick leave. He has nominated for the approval of myself and for that of this Chamber the Reverend F. A. Cayless, Vicar of St. Ambrose, and I am asking that the Hon. Leader of the House make any motion which he thinks fit to make in respect of this proposed acting appointment. It has been intimated by the Hon. Minister of Education that he is seeking my indulgence before the business of this meeting is further proceeded with, to make certain references.

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Government I should like to express our profound regret over the temporary indisposition of the Chaplain and to wish him a speedy and complete recovery. With reference to the acting appointment, so long as it has found favour with Your Honour, we propose to offer no objection. I there-

fore beg to move, in the first place, that the Rev. S. A. E. Coleman be granted two months' leave of absence from his duties as from today's date.

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

The question that Rev. Coleman be granted two months' leave of absence from his duties as from today's date was put and resolved in the affirmative without division.

Mr. E. D. MOTTLEY entered the House and took his seat.

APPOINTMENT OF ACTING CHAPLAIN

Hon. W. A. CRAWFORD: Mr. Speaker, I now beg to move that Rev. F. A. Cayless be appointed to act as Chaplain of this House for two months with effect from today's date.

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

Hon. J. C. TUDOR: Mr. Speaker, before you put the question, I should just like to make a few remarks which I think the House will feel appropriate at this stage. As the Hon. Leader of the House has said, there can be no objection on the part of the House to the nominee so long as he finds favour with Your Honour. I should just like to say that the Chaplain of this House is, in effect, the Speaker's Chaplain. I should like to acquaint this House of a happy circumstance in respect of the substantive Chaplain whom we are sorry not to see in his place today. It is only a few weeks ago that I learnt that the Chaplain had celebrated his Golden Jubilee as a member of the Established Church, having been ordained on the 18th November, 1912. He is therefore the oldest living priest, in so far as ordination is concerned, in this Diocese and the fact that he has been serving this House so well makes it clear to us that he is still in active ministry. The House would wish to be aware of that happy circumstance and to send its congratulations to Rev. Coleman on his Golden Jubilee as well as to send him our best wishes for his speedy recovery.

Mr. MOTTLEY: Mr. Speaker, I should like to associate myself with the remarks of the Hon. Minister of Education when he asks that we send our congratulations to Rev. Coleman. As the Hon. Minister has rightly said, we also wish him a speedy recovery. Rev. Coleman has celebrated his Golden Jubilee as a Minister of the Gospel and that is something which is not actually enjoyed by many. Speaking from my experience, I know that Rev. Coleman had no easy time in this country because he came in at a transitional period when he had to throw down the gauntlet in order to be recognized in the Established Church in this country. 2.40 p.m.

I say no more upon that, but those of us who have lived long enough to realise what this gentleman of God has had to do to be able to cause people of his class and type to be recognised in the Ministry and in the Established Church

of this country, will appreciate more so that he has lived to enjoy and celebrate his Golden Jubilee. I believe it is an occasion of which all of us should be very proud, because those of us who have been brought up in this particular faith are conscious of the fact of what existed, let us say, fifty years ago. The Reverend Coleman started off as a school-teacher at St. Davids and then left and journeyed to the land of opportunity, the United States, where he was ordained in the Ministry and came back here, and I think many of us would recall the real trouble which those of us in public life would have made if he were not given an opportunity and his pigment was taken as a mark against him.

I too beg to associate myself with the remarks of the Hon. Minister of Education, and I suggest that we of this Chamber should take it as more than his just enjoying this Golden Jubilee. The youngster who fills his chair today would not know the great trials.....

Mr. SPEAKER: The young ecclesiastical gentleman.

Mr. MOTTLEY: The young ecclesiastical gentleman who fills his chair today would not know the great trials which the Reverend Coleman had to pass through, and I think it would be fitting for us who occupy seats in this Chamber today not only to place it on record but to write the Reverend Coleman a letter offering our deepest congratulations, having lived and fought such a strenuous battle, and blazed the way for young ordinands today who have not got to face what the Reverend Coleman faced.

Mr. Speaker, I beg most heartily to associate myself with the remarks of the Hon. Minister of Education, and suggest further that a letter be written to the Reverend Coleman offering him our congratulations on his Golden Jubilee.

Mr. MILLER: Mr. Speaker, we too would have a word to say on this matter. Fifty years of a man's life in the active service of the Church is indeed a colossal contribution to community development in any society. I too on behalf of my Party and the people of this country would like to send him our warmest congratulations and thanks and wish him at the same time a speedy recovery from his illness. Need I repeat that fifty years of any man's life and contribution to an organisation such as the Church and in a community like ours is indeed a colossal contribution to community development. Thank you, Sir.

The question that the Reverend F. A. Cayless be appointed to act as Chaplain of this Chamber for two months as from today was put and resolved in the affirmative without division.

Mr. SPEAKER: I take this opportunity of associating myself with the remarks made by the Hon. Minister of Education, the Hon. Leader of the Opposition, and the hon. junior member for St. George in connection with the Reverend Coleman's Golden Jubilee, and I shall be happy and privileged to instruct, and regard it as a privilege to instruct, the Clerk of this House to write to our Chaplain conveying the best wishes of this House in connection with the celebration and wishing him a speedy recovery from his present indisposition which we hope is only temporary.

PAPERS LAID

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Hon. Premier, I am commanded to lay the following:-

Statement of sums of Money paid over to the Accountant General by the Commissioner of Police during the quarter ended 30th September, 1962.

Statement showing Net Customs and Excise Receipts for nine months ended December, 1962.

The Public Officers Loan and Travelling Allowances (Scheduled Officers) Regulations, 1962.

Administration Report of the Comptroller of Customs for the year 1961.

Barbados Statistical Service — Selected Monthly Indicators: July, August and September, 1962.

And on my own behalf, I am commanded to lay the following:-

The Customs Duties (Poultry and Eggs) Order, 1962.

GOVERNMENT NOTICES

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Hon. Premier, I beg to give notice of the following:-

Resolution to place the sum of \$2,519 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1962-63, Part 1 — Current, as shown in the Supplementary Estimate 1962-63, No. 32, which forms the Schedule to the Resolution.

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

Resolution to approve of the compulsory acquisition by the Governor-in-Executive Committee of the land described in the Schedule hereto for soil conservation purposes in the parishes of Saint Peter and Saint Andrew.

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Hon. Premier, I beg to give notice of the following:-

A Bill to amend the Firearms Act, 1896.

COMMITTEE OF SUPPLY

Hon. W. A. CRAWFORD: 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 was given today.

PRIVATE MEMBERS' NOTICES

Mr. SMITH: Mr. Speaker, my eyes are giving me a little trouble today and I am asking you to allow the Clerk to read the Resolution for me.

Mr. SPEAKER: That is permitted.

Mr. CLERK: The Resolution reads as follows:-

WHEREAS the small cane growers of the Island are sustaining heavy losses on the reaping of their canes yearly, due mainly to the absence of properly shaped roads and tracks where the lorries can drive and stop along the side of their land to take the canes to the Factory,

AND WHEREAS the increased cost of labour has made it more difficult for them to head the canes long distances to reach the lorries,

BE IT RESOLVED that this House call on Government to assist these small cane growers of the Island, by instructing the Honourable Minister of Communications, Works and Housing to request the services of the Director of Highways and Transport to have these roads and tracks reshaped immediately with tractors or bulldozers, giving priority to St. Joseph, St. Andrew and the neighbouring parishes of St. Thomas and St. John.

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

BE IT RESOLVED that the House of Assembly views with concern the important statement made by the Hon. Premier on Tuesday, 11th December, 1962, on Great Britain's proposed entry into the European Economic Community and its effect on the economy of the Barbados.

The House therefore requests the Government to set up a National Committee representing all important ele-

ments in the Island to study and report on the effect which Britain's proposed entry would have on the economy of Barbados.

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

WHEREAS many small shopkeepers through the Island are experiencing much difficulty in carrying on their businesses profitably, due to the early closing hours prescribed by the shops Act, 1945;

BE IT RESOLVED that the Shops Act, 1945 be so amended as to make it possible for shops to be kept open to a much later hour than at present.
2.50 p.m.

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

Is Government aware that poliomyelitis is very rampant in British Guiana?

2. Would Government embark immediately on a mass polio vaccination campaign in all the schools and Health Centres throughout the Island?

BILL READ A FIRST TIME

On motion of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA, the Bill to amend the Firearms Act, 1896, was read a first time.

STATEMENT BY HON. G. G. FERGUSSON re DAMAGE DONE TO DEEP WATER HARBOUR

Mr. SPEAKER: The Hon. Minister of Communications, Works and Housing, seeks to make a statement in connection with the damage done to the Bridgetown Harbour on 2nd and 3rd January, 1963 and unless there is any objection, I will grant him leave at this stage to make this statement.

Hearing no objection, the statement may now be made.

Hon. G. G. FERGUSSON: Mr. Speaker, the statement reads as follows:-

On 2nd and 3rd January, 1963, rough seas breached the Rubble Bank adjoining the main Breakwater and demolished the splash wall which had been erected to protect the sugar conveyor. As result some damage was caused to the Sugar Conveyor, the adjacent Esso Installation and the pipe lines which feed water, fuel and molasses into the Outer Breakwater. An area of approximately 10,000 square feet of land was also removed by the sea.

Immediate action was taken by Government to bring a representative from Messrs. Coode and Partners, Consulting Engineers for the Deep Water Harbour Project, to Barbados, and Mr. D. C. Coode arrived on Friday, 4th January.

The Department of Highways and Transport prevented further damage and erosion by immediately dumping boulders obtained from the Harbour area and the Government's quarry at Bagatelle. Equipment was transferred from various works projects by the Department to assist in the emergency.

The staff of the Department worked continuously for the first sixty hours and after that on a shift system day and night until the 13th January. This was necessary to protect the sugar installation in the event of further heavy seas.

The Consulting Engineers have approved of the emergency measures taken.

The Government engineers and Mr. Coode have discussed possible measures to effect permanent repairs and a report from the Consulting Engineers is awaited. In the meantime, the Government has taken action to obtain the

services of H.M.S. Vidal of the British Admiralty Hydrographic Department and of an independent firm of engineers to carry out a survey of the entire harbour.

The final cost of the temporary work being carried out is unknown but it is estimated that it will be in the vicinity of \$70,000.

Temporary repairs are being affected by Esso and other utilities to restore services to the Breakwater and it is anticipated that these will soon be completed.

I wish to assure Honourable Members that all possible measures have been taken to prevent further damage and that it has been possible to maintain all of the normal port services during the emergency. I have also been advised that the damage to the Sugar Installation will be repaired in time for the shipment of sugar to commence on schedule.

QUESTION TIME

Mr. SPEAKER: This is question time. There are no answers to questions given notice of.

The House will now proceed with Private Members' Business.

RESOLUTION re THE REDUCTION OF CONSUMPTION DUTY ON BEER

The First Order of the Day under Private Members' Business is under the name of the Hon. Leader of the Opposition; to resume debate on a resolution re the Hon. Premier's statement laid on 27th November, 1962, re the reduction of consumption duty on beer.

In respect of this item, when Private Members' Business came to an end on the 11th December, last year, the hon. senior member for St. Peter was addressing the Chair. If so disposed, the hon. member may now resume.

Mr. WALCOTT: Mr. Speaker, I do not have any intention to continue this debate much longer than to briefly summarise the position which I made on the last occasion in that this is a very important statement and the consumption tax was a very important item of the Government's fiscal policy and I therefore felt that the time has come when careful consideration must be given to all fiscal matters and the consumption tax on beer which was imposed in June and then removed in November indicated that enough consideration was not given to all of the relevant matters surrounding that matter, if not, it would not have been needed to be removed so quickly.

The next very important point which I would like to make is that it is very difficult in these small territories to have any chance of capital industrial development if any action taken appears to be rash, intemperate and not fully considered because it is grist to the mill to the people who are thinking particularly in those terms and who take any opportunity to expand rumours. As I said previously, I was in New York and the action which was taken on Banks Breweries has spread far and wide because industrialists have very wide connections and sometimes rumours can be used to adverse effect to the territory as a whole.

Mr. Speaker, I am very glad the consumption tax on beer has been taken off because it gave the company opportunity to speed up its production, and as you were dealing with spirits, I do not agree it is anything wrong in any country manufacturing its own beverages. It happens all over the world and I do not think Barbados should be any exception to that.

Sir, as regards the policy for imposing taxation, I wish to say again that it must be considered very carefully and, as regards this matter, I feel that this is done and passed. This is more or less history — the action of putting the tax on and taking it off. This is dead now and I do not want to revive thinking on that part. I hope that it would be a lesson for the future and such action must not be taken without all the relevant facts having been considered and should not be taken on any narrow basis.

The Hon. Leader of the Opposition in his motion made mention of other articles, such as chicken parts for which he seems to be an expert, which taxation should be taken off. I understand when it comes to the culinary art, although the Hon. Leader of the Opposition is not a full participant he can acquit himself very creditably.
3.00 p.m.

I understand that he knows about the culinary arts although he is not fully a participant in that line. He cannot acquit himself in anything in that line and I give him credit for knowing more about these things than I do. I use things if I have to use them; I am a participant in these things more than in the preparation of them. I think that the Government would be wise to consider the position of this island. All Governments have a lot of advisers both from the inside and from the outside. I seem to have the impression that sometimes you have hangers-on who want to get into the capacity of advisers and they want to speak knowledgeably of these things so long as they see that there is money in it. I do not say that the poultry situation in this island is at the stage where you can stop importation. If you can produce poultry you produce it, but there is no point in blinding yourself to certain basic facts. You have to import some of the poultry and you have to study all the relevant costs, not only just what somebody comes and tells you. You should get all the information; you should get information as to what are the landing costs, the cold storage costs and the margin of profit which is left. If the Government is not doing that, there is a marginal profit which has to be made and private people have to do it. I hope that further consideration will be given to these things because you do not want to bring any undue hardship on these people.

Some people say that chicken parts are only backs. I hear people say that people do use them and the basis is: are you going to get people to buy these chicken parts? If people are buying them, there is some argument that they are fit for consumption unless something is wrong with them. I think that this Order which was made for the removal of these things was something which was done in time, otherwise it would have had an adverse effect upon the community. I think that some proper examination should be made of these things. When I came back to this island, I found that price controls had been instituted one day and they were coming off the other day. There is no point in the Government beginning to fool around with things like that. As soon as you begin to take off and put on these things, that makes the community get restless. If you put on controls today and you take them off tomorrow, somebody will feel that you do not know what you are doing. You cannot expect a Government to act as somebody who is running a peddling shop; somebody who goes up with his price and to his consternation he finds that the market is flooded with these things and nobody wants them. I think that the Government should act in a way to show a certain amount of stability in their own public dealings. If something is being controlled you should have some sound argument for controlling it, but not to have a pious excuse for taking off the control.

At this stage of our lives I do not think that it speaks well for people to act in this way. I hope that this will be the last exercise we will have in this excursion into fiscal matters in which you are juggling like a circus man. I have nothing more to say at this stage. One item has been removed from control and we do not want to revive something which has already taken place. We want to get down to more constructive work during this Session.

Mr. MILLER: Mr. Speaker, on this question of a consumption tax I believe that it has lost its public appeal. You will remember the Statement which was made by the Premier; it was made shortly after the naval blockade of Cuba by the United States of America. At that time it was felt that tribute was being paid to John Kennedy for the action which he had taken. When the Premier made this Statement in connection with the reduction of this tax, I thought that it was a very grave act. You can say whatever you like, but he did make a mistake and the whole country had to pay for it and is still paying for it. However, it was indeed a grave act for any Premier to say what the Premier did say on that

occasion in Parliament. It was lacking both in chivalry and etiquette, but you are likely to find some scapegoat to offer some excuse for it. That must have been a tremendous decision to take because of the salaries paid to public officers amounting to the tune of \$3 million. What people feel is that this consumption tax was put on beer because of this payment of \$3 million. Another thing is that the Hon. Premier said this:-

"Coupled with that, there were irresponsible statements made by people who should know better, coupled with a campaign which gave the general public the idea that the ruling Party had some political axe to grind and waited to see our own local Brewery discontinue its operations, all of which was completely untrue—I need not mention that—but there had been a sharp decline in the consumption of beer. For this I make no apologies....."

If the Premier discovers that he has made a tremendous mistake and it will have an ill effect on the community, you would not have expected him to say that he made no apologies for it. I would like to feel that a bigness of spirit was coming to life in Parliament. Heaven knows what the results would have been if this state of affairs had continued until March this year; it is therefore fortunate that the Premier took that decision to change it. If you look at the stars again, whether or not you consider yourself to be wise, do you know how many people you have hurt by this decision? With these changes and controls of items I think the Minister would do the country well if he could go to one of the committees or get a delegation from the Chamber of Commerce and attempt to decide what he should do by way of a change. I do not know if he needs advice, but he could come to the conclusion that there is an authority to which he can appeal. There is this organization which would be willing to send a delegation with some knowledge to advise them in these matters, if he were to send a letter to that organization asking for advice.
3.10 p.m.

These things create thoughts in the community that do us no good, and as I said, in all societies, people prefer fixed and permanent statements rather than change policies that flick up and down, as that robs us of the stability that is so important to growth and development. I think I have said enough on this and with your permission, may I thank you, Sir?

Mr. SMITH: Mr. Speaker, I do not have much to say on this matter because I said quite a lot when the Premier introduced these tax proposals. I felt very glad to see that the hon. senior member for St. Peter had taken up where I left off, although he was not in the House at the time, relative to these tax proposals. He was a little plainer than I was because he said a fool would not have done it. I did not say that although I meant that. Now, Sir, the majority of people in this country are not feeling happy about these tax proposals and the attitude of the Government relative to the taxes which have been imposed even on beer. You may remember, Sir, when the Hon. Premier was introducing these proposals that he said that his Ministers did not know anything about them until about half an hour before he was ready to present them to this House, and I had to say after all that this is a one-man Government.

Hon. W. A. CRAWFORD: On a point of order, Mr. Speaker, this is not the first occasion on which the hon. junior member for St. Joseph has made a remark like that in connection with this matter, and it only serves to demonstrate his absolute innocence of the manner in which the Minister whose portfolio approximates that of the Chancellor of the Exchequer is expected to discharge his duties. The hon. member has been in Parliament long enough to know what the normal practice is with regard to the imposition of new taxation by the Chancellor of the Exchequer and the inference which he has drawn from both the action of the Minister of Finance and his statement in this matter, is completely out of conformity with what is regarded as generally accepted procedure.

Mr. SMITH: Mr. Speaker, procedure or no procedure, up to now the Government comprise of, I think, five or six

Ministers, and only one Minister is responsible for this ridiculous imposition of tax on Banks beer. I say "ridiculous" because it was imposed somewhere, I think, in June, and around November the same Minister who said that he had no apology to make for the imposition, neither would he be considering it before the end of the financial year, still had to come back to the House and consider it himself by reducing it. Now, Sir, how must I put it? Must I say the Government or only the Minister? I would have to say "the Government" regardless of what the Hon. Leader says, and he is a member of the Government along with others. If the Government had caused Banks Brewery to fold up in full and the people of this country to starve from the want of chicken parts and things of that nature through the imposition of tax, we would have to say the Government caused it and not the Minister of Finance, the Chancellor of the Exchequer or any member of the Government, because it is a collective Government. Every person in this country will have to say that the Government caused people in this country to lose their money on this particular Brewery. Five months after, Sir, the Minister came back here — my colleague says it was a brave act, but I put it the other way and say it was a cowardly act — and said "cheap beer for Christmas". That was the excuse he gave us for refusing this tax. That would make one believe that after Christmas it may go back up.

Mr. Speaker, if the Minister did not do that, what would become of the country? He said he had no apology to make for it, and the Hon. Leader of the House is now saying that it is procedure. Well I hope that procedure will not continue to operate if it causes us to suffer and is causing the people of this country to suffer through the imposition of the tax on chicken parts and on the beer. As I said just now, it very nearly caused Banks Brewery to fold up. You are encouraging people to come in, you want all the industries possible, but you have one and before you try to get the second or third going, you kill the first. How are you going to get more to come in? How are you going to get people to invest their money in this country or in any business at all to help this country? You want to industrialise, you want to relieve unemployment, and you begin to do so by erecting a brewery, and as I have said, before you get the second or third running, you try to fold up the first. What is going to happen with this Government if it adopts such an attitude in the future? Talking is not going to do it; you have to act.

Mr. Speaker, the Hon. Premier cannot be forgiven for this because he is an economist; he is one of the top-notches, and that is why he did not take any advice whatsoever from his colleagues, because they are not economists, and a layman cannot tell a legal man what to do. Sir, if I gave you a case to do for me, my duty would be to put the case to you and the money and then you would do the legal side, but you could not ask me how to present the case before the judge.

3.20 p.m.

Therefore, the Hon. Minister, and economist could not go to insult himself by asking any of his colleagues how to put the case to the people because he knew the job, so they cannot be excused although they are not economists but they have brains and commonsense. You do not want an economist to tell you that six from nine leave three. You would not want an economist for that. You want someone who went to school and who have learnt to subtract.

Sir, when we came to find out that the Government has made such a blunder and such a mistake by the imposition of this tax on Banks Breweries, it would cause one to have more doubts and say "what next"? "What is going to happen next" because this is too much of a blaring blunder. Where are we heading for? We want new industries to come in. We want the flour mills, the casava mills and all the mills of this world. How are we to get them if we do not encourage investors? I do not think the flour mill people would be so foolish or are so blind that they cannot read or when they hear what has happened with Banks that they would want to come in. I do not think when they read or hear that they will be too quick in making the necessary investments here, nor do I think that even the people in this country would be so keen in investing their money in any

of these firms that come in this island when they know the kind of Government with which they are dealing.

How are you going to do the encouragement and how are we going to alleviate all this unemployment and get industrialists to come to Barbados? Certainly, we will have to close our eyes to a cent sometimes and encourage the dollar. But are we going to catch at one cent and throw away the dollar? We would not be doing anything by doing that. I do not know if that is the new way of economising because I am not an economist.

I am saying that the majority of people in the country are anxious and are saying "what next". Even the people who have the money to do the necessary investment, the people whom you say lack initiative, are worrying me and wondering to know what to do.

Now, Sir, money in the bank or in an island's chest or something of that sort is of no use to a country. If it is to be of any good it has to be invested and it has to be kept turning so as to get improvements and to do things. Therefore, if those people who have the money whom you say lack initiative, that means that they do not have enough commonsense even to raise money, that means that the people who do not have money would suffer more if those people fold up. Those people whom you say lack initiative would not be the first to suffer; it would be the poor unemployed and the poor class of people who will be the ones to suffer. Can we afford to sit back and allow the people of this country to suffer or allow one or two people to cause them to suffer? No; we cannot allow that; we have to come forward and help. We have made a promise to the people and we have to carry our promises out.

The business people of the country are the supporters of the Government. I would term the Government as the housewife and the business people as the breadwinners. The husband has to go out and work and bring money in for the upkeep of his home and give it to his housewife and then she can spend it, although she has a job to do otherwise because in some cases she has to stretch it and make a dollar do what in some case some people cannot make two dollars do. She cannot get that dollar to spend until the breadwinner goes outside and face the music for it. In the same way, this Government cannot get money to spend until the business people sprain their brains night and day to invest their money and to make a profit on it. It is only then that the Government can get some of it. Do not care how much Premier we have; do not care how many Ministers and economists we have, I am saying that you cannot do anything until money comes in and that is why the Hon. Premier had to come inside the House and give us cheaper beer for Christmas. He did so because he saw what was happening after he had put on tax earlier in the year. I want to know what is the good of putting food for your dog to eat and you are still keeping the muzzle on him. I want to know how the dog can eat it. The food is there but the muzzle is on. I feel it was a very wise thing you did when you took the muzzle off.

You will have to take many more muzzles off. As I have said and still maintain, you had no right interfering with chicken parts especially the parts which the hon. senior member for St. Peter said that he does not know if any flesh is on them. I am going to tell him with respect to that part that there is very little flesh, only skin; sometimes if the feathers are not taken off cleanly, you cannot use the skin because you would be swallowing feathers. You must know what the bones are. What is that in the backs to be taxed? I am appealing to the Hon. Premier to see to it that just as he has given cheaper beer to us for Christmas that he gives us cheaper chicken parts for Easter.

3.30 p.m.

I think that before the next Election you should give us cheaper rum too.

Hon. W.A. CRAWFORD: On a point of order. Mr. Speaker, what is that reference to do with the price of chicken parts? Since the price has been controlled, there is no alteration in the price. I therefore do not understand the reference which the hon. member is making.

Mr. SMITH: The price is controlled but we cannot get the article.

Hon. W. A. CRAWFORD: We cannot control that.

Mr. SMITH: Well, you have controlled it away. They found out what was happening and they started to work the control business. Well, they are controlling it for good because we cannot get it. That is when you interfere with what does not interfere with you. (Laughter) I read in the newspaper that we could not even get an egg for Christmas.

Hon. W. A. CRAWFORD: That is not true.

Mr. SMITH: I cannot remember if I read it in the *Observer* but I read it in the newspaper. (A MEMBER: In the *Beacon*?) Why do you ask me about the *Beacon*? We want to do everything and we are not doing anything as yet. There is an old saying: "Never trouble trouble until trouble troubles you," and this Government has troubled trouble by interfering with these things. When the Hon. Premier brought in these proposals I said that we could have got the money from other avenues, but I will wait and see. Mr. Speaker, your head will grow when they come in with the other things; they are coming with them high too, but we will wait and see. We are going forward and we can go forward very easily. We do not want to be travelling too fast and not looking around us. We are more looking backwards than forwards and therefore we are bound to stumble and fall. I sincerely hope, however, that this country will always be up to mark as it always was and that we will always be going in the right direction. (A MEMBER: Like the Conservatives!) When you talk about the Conservatives, they had foresight and knowledge; they were a little bit tight-fisted but there is nothing wrong in that. What is the good of having your fist open and people are suffering? I am suggesting that it is much better to tighten your fist and let the people live. We are not making any progress at this rate.

Mr. Speaker, there are lots of things to be done. We have to encourage every possible cent into this island; we must encourage every possible investor to come in. We cannot dishearten them. We cannot talk big talk and run off the people; the only thing you can run off and still get the sweets is honey bees; you can run off the bees by smoking them but you cannot run off people by doing that. You have to try and hover people; you want to get investment into this colony so that people who have no money can get along and live. What can affect people who have money? The only thing that can affect a person who has money is death, but anything can affect people who have no money. We have to go easily; we have to fight hard and do everything that is possible and see to it that this country is being run in the right direction. I do not care who is running this country so long as it is being properly run. I do not want this country to be run off its heels. Sometimes you have a horse which will run long and strong for the last and it will fall down, but I do hope that this Government will not fall down too quickly. I wonder if the Hon. Leader of the Opposition would say at this rate that he would still like to see this Government go on for 300 years.

Mr. SPEAKER: This may be the peroration of the hon. junior member for St. Joseph, but we are not concerned with what the Hon. Leader of the Opposition would like to see unless it is apropos to rum, beer or chicken parts.

Mr. MOTTLEY: If the hon. member wants an answer to that he will get it.

Mr. SPEAKER: The answer will be given when the Hon. Leader of the Opposition replies, which he may or may not do.

Mr. MOTTLEY: Mr. Speaker, you can be sure that I will reply.

Mr. SMITH: I am wondering if the Hon. Leader of the Opposition wants this Government to run for another 300 years at this rate. This is a Resolution which has been introduced by the Hon. Leader of the Opposition. He is not

satisfied with the state of affairs, he has seen the writing on the wall because it has caused him to bring forward this Resolution, and I may say that if he had not brought it forward I would have brought it forward. The hon. member knows that this is too hard; the imposition on these chicken parts and on the beer and even on the alcohol, the Hon. Premier knows is too hard. The only person who does not know that is the Government; it is hard especially on those who drink although many of us who drink do not pay for it. I am not going any further because I have already said a great deal on this matter, and I still maintain what I said at the time when the Resolution was introduced, Mr. Speaker, the position is a ridiculous one; however, I do hope to see that a reduction is made in respect of other commodities. If you have had to reduce the price of beer, what has caused you to do that? I feel that the price was too high.

3.40 p.m.

I feel that the price of rum is too high, and if you can see your way to reduce the price of beer by such a fair market, and if you have put four cents on half a gill of rum, could you not take off at least one cent and show everybody that you are willing to help? Let the rum drinker feel happy and let the beer drinker feel happy as well. You have kept the price of rum where it is because..... and I would not say why yet. I have my time to say why. You are keeping it there because you can do so, but the same way you have seen your way to reduce the price on beer, you can reduce the price on rum.

Mr. CORBIN: Mr. Speaker, I have sat patiently and tried to digest everything that has been said. The last speaker tried to criticise the Premier as much as he could on this Resolution, but I want everyone to realise that the Premier of this Island or of any Island is responsible for the economy and the running of the country, and while the hon. junior member for St. Joseph was speaking, he caused me to refer to B.C. and think of the first Prime Minister of Egypt who was Joseph. He had to have the right kind of vision and the only possible means he could get that was to get in contact with the right one who was the true God, and he then had to direct Pharaoh what to do with Egypt. Pharaoh called his meeting and they prepared themselves to meet the great famine that was ahead. I want members to realise that the Premier is in a very difficult position when he has to run a country. He has to run it on taxation and he has to know where it is, how to get it and when to get it in order to run the country. If he taxes any kind of commodity he is going to be criticised; if he taxes gasoline, he is going to be criticised; if he taxes any commodity, he is going to be criticised. So long as it is taxation he will be criticised and there is no one to tell him how to run the country or how he should tax this commodity, that commodity, or the other commodity. He has to know how the economy stands, he has to know when to tax, how to tax and when to reduce taxation.

Mr. Speaker, I must say that all the criticism which has been made on the taxation of beer and chicken parts can be left out because that taxation has been reduced since it had been increased, but now members are criticising the price of rum. There are, I believe, lots of us who can do without rum. As I said before, rum is not nourishing; it is only stimulating. There are men who would drink rum and go and cuff the Premier in his face, and there are others who would get a rum and go home and beat their families out of their homes. I have heard a housewife say that she would be glad if the price of rum stays where it is because her husband would come home more sober. It is left to the Premier, Mr. Speaker, to remove the tax on rum, but I do not care whether the tax goes or remains. I can drink it or I can do without it, but I know I cannot do without commodities such as food, meat and fish; I am supposed to have those to keep my body; so it does not need any more criticism. In due season, the Premier will know when to reduce that tax and when to tax some other commodity, because he has the sole responsibility of this country. If he imposes taxation and gets what he wants to run the country, tomorrow he can take it off; that is the meaning of taxation.

No man, Mr. Speaker, feels good when taxes are increased whether it be on land or on commodities, and that

is why I say that the Hon. Premier is in a very difficult position, and we should be in sympathy with him at all times and cooperate with him and give him the best support that we possibly can, because it does not take a mean man to take on his brain the strain of running this Island of Barbados. I remember some time ago, that a Governor said he would never come back to Barbados as Governor because all Barbadians are Governors and he had a hard task. I am therefore asking all members of this House and all the people in Barbados to be in sympathy with the Premier and to try to co-operate with him to help run this country to the best advantage. I will support him as long as I live whether I am in this House or out of it. *(Cheers.)*

Mr. SPEAKER: Before the Hon. Leader of the Opposition exercises his right of final reply, is there any other hon. member who would like to speak on this Resolution? No Hon. Minister has so far contributed to this debate.

Hon. E. W. BARROW: Mr. Speaker, I will be very brief because everything that I have had to say about taxation during the financial year 1962-63 I have said already. One would be tempted in circumstances like these to become a bit exasperated with the inanities which emerge from the opposite side of the Table. There is a certain amount of buffoonery which inevitably must go on in all Chambers of this kind and a certain amount of witticism, but one does expect somewhere in the course of debate that some kind of commonsense should emerge from amidst all the chat which is so freely distributed in the atmosphere. It is only because I have sat in this Chamber for now, I believe, over a period of eleven years that I have come to the position where I can assess the merits and demerits of the statements which are made by the several members on the opposite side of the Table who have been, some of them, in here as long as and even longer than I have been, and therefore I do not intend to take them seriously at all. 3.50 p.m.

The Minister of Finance is always in this awkward situation that it is not always possible, because we get an enlightened criticism and statements which are completely misleading made on the opposite sides that in order to vindicate your image in the eyes of the public that you have to disclose at the time decisions made about taxation.

Here again, the trend of the criticism which we have heard today is directed against the proposals for taxation which were made in June, 1962 and particularly in respect of the consumption tax on beer and the consumption tax on alcohol in general. The general thesis which we have heard enunciated here today appears to me to be along these lines: that Banks Breweries is a pioneer industry and you have no right taxing pioneer industries; anybody who taxes Banks Breweries does not know what he is doing, therefore because the Minister of Finance taxed Banks Breweries, the Minister does not know what he is doing; the Minister of Finance found out that he did not know what he was doing when he taxes Banks Breweries and therefore he took off the tax. The general impression is being created both by the Press and the irresponsible statements made in this House that there was so inviolative a treaty between the past Government and Banks Breweries which was the first brewery established in Barbados that at no time would the Government place a consumption tax on beer.

I think that I have been through all of this before. Let me briefly summarise what the position was. You will find this in the debate of this Chamber. Long before the Directors of Banks Breweries came to the public with an issue of shares — and I will go so far as to say long before they bought the land to erect the brewery; long before the first piece of machinery came into this Island — the past Government raised the tax on all imported beer for no reason at all and they did not tell us that they had an undertaking although they had two breweries applying to establish business in this Island. They were negotiating with one brewery and, Mr. Speaker, you will remember that there was an advertisement by Carib Beer of Trinidad that it had made application for pioneer status. I am nothing to do with the difference between the application of one brewery

and the other but let us get the records straight on this matter.

The past, defunct and now dead Government raised the tax on imported beer which was the only beer that we had here. We have read out letters which came from the Directors of Banks Breweries before the brewery came to Barbados in which it was stated that the Government at the request of the promoters of the scheme intended to support the brewery in preference to the other brewery which was making application. The newspapers in this country did not raise a howl of protest as to the increased price of beer although in that year there was a surplus of \$1 3/4 million. There was no revenue implications then and this was done at the time of a normal Budget Speech and purely on the recommendations of a letter written by the Directors of Banks Breweries asking to put a tax on imported beer.

Sir, I am going to be brief but I am going to be very clear. Some months later, this enterprise which was known as Banks Breweries and which operated in British Guiana came to the public with what I have often stated as a first class bit of promotional literature. They came with a prospectus, which they flooded the country with, setting out certain facts which I said on the floor of the House then that what they set out amounted to misleading statements and misrepresentations as to the capital formation. I went further and do you know, Sir, that the newspapers refused to publish what I said and what I repeated at the request of the hon. senior member for the City and the hon. junior member for Christ Church in the course of the debate. I said that the directors of that company made misleading statements and misrepresentations as to the capital formation of the company in their prospectus and went further and said that if they had done that in the United States or in the United Kingdom that it would be a criminal offence.

Mr. MOTTLEY: Mr. Speaker, I rise on a point of order. Am I to understand the Hon. Premier to say that the newspapers refused to publish the debates at our request?

Mr. SPEAKER: The hon. member did not say that.

Mr. MOTTLEY: Not at our request? I thank you.

Hon. E. W. BARROW: Mr. Speaker, you will see it in the debate what I said. The directors of that company made statements about their capital formation in order to induce small shopkeepers, small businessmen and the average housewife who had \$50 or \$100 put by to take shares. Fortunately, those people who were then in control are out of the way and we have some kind of Barbadian control of that company. One of the most respected solicitors in practice in this island, in my opinion, of the most reputable firm of solicitors, a man himself who probably is a conservative by birth and inclination and also one of the members of statutory boards on the Public Service Commission, wrote a letter to the Press pointing out to the public at the time that they should be on their guard about these statements because the impression was being given that the company was going to be controlled by Barbadian shareholders. One statement which was made was in respect to the erection of the building and you saw that was gross misrepresentation.

Another statement which was more before us was to the effect that the Government had granted the company exemption of the payment of companies tax. I say that up to today as I am standing here that that is not true. Up to today, the Government has not granted that company any exemption from the payment of tax. The Government may be considering the whole situation but I am not prepared to say more than that. Here it is, the whole public of Barbados was made to understand that this company was going to erect a building for so much money and if you follow the financial implications of that statement you will see the clear implication that they would be able in two years time to pay dividends of 25% on the original market value of the sales and in about the fifth year they may be paying dividends of the nature of 40% or 45%. 4.00 p.m.

Further it was stated that a similar brewery in British Guiana had completely amortized the capital investment within a period of between three and four years. What Socialist Government in this wide world would take half a million dollars out of the pockets of the taxpayers, which is income which used to be obtained from imported beer from Holland and other countries, and give it to a company which said that they had hoped to wipe off a capital issue in a period of three or four years? In a letter written by the solicitor, not at my behest, it was drawn to the attention of the Government, in fact the solicitor informed me that he had informed the Government to be very careful because of the peculiar way in which the prospectus was presented to the public. We wanted industries but one always has to try to equate the increased value of additional employment in the community with the amount of revenue which you are giving up in the Government sector. You must make some intelligent appraisal when you are considering pioneer industries. In the Act itself, it is stated that the Governor-in-Executive Committee must take these things into consideration. We, in the West Indies, have a habit of regarding things because they may look spectacular without going behind the facade to find out what the monuments may mean to a future generation of taxpayers.

I have put myself out of the way to talk to the staff and the Directors of Banks Breweries. I have nothing against any capitalists in this island so long as they can be of some benefit to the community and they are paying proper wages and are not trying to pull the wool over the eyes of the public. These are my reservations about capital investments in this island. I say that you must play fair; you must not do one thing today and another thing tomorrow. Mr. Speaker, nothing I say here must be construed as my having anything against Banks Breweries. As a matter of fact, I would like everybody to drink Banks beer to the exception of any other beer. That is the only way in which the Government can recover the severe loss which it has suffered as a result of the establishment of the Brewery. I have explained that the capital cost of the erection of the building and plant, the construction costs, were far in excess of what was set out in the prospectus. Secondly, I have said that a statement which was made to the effect that the Government had granted exemption from companies tax was an incorrect statement. I do not have it in the chronological order in which the statement was made; however, I have said thirdly that the tax was put on beer by the last Government without any revenue implications whatever, in the middle of the financial year and that tax passed unnoticed and they sent up the tax and there was no industry to protect in Barbados. I pass that careful analysis on the imposition of that tax. The Government revenue went up something like \$602,000 from the import duty on beer. There is no difference between import duty and consumption tax; it is all for the purpose of raising revenue and there could be no material difference whether beer is manufactured locally or not. The only two devices are either by way of tax, or consumption duty. Those were the three factors which were operating at the time when the Government revenue from the import duty on beer went up something like \$602,000. The statement in the prospectus I said up to today is an untrue statement, and that is no reflection on the present directorship of the company because they are doing their best to put the company on a good footing. The next thing is the fact that there had been an understatement as to the amount of capital which could be expended on the building. I am not acting as a business consultant to any one, but I would say that when a company discover that their initial capital expenditure is going to be grossly in excess of what they set out in a prospectus, then the correct thing for them to do is to issue more shares to the public. You cannot eat your cake and have it too. Their failure to issue more shares to the public in view of the fact that there was a high propensity to buy more shares on behalf of the public — as a matter of fact, you had more people wanting to buy shares than they had shares to sell.

Mr. Speaker, I am merely giving a piece of gratuitous advice to people who are going into business. If you say you want this business to be controlled by Barbadian shareholders what you have to do is to issue another two million shares in Banks Breweries and raise another

million dollars, but the overseas Directors of Banks Breweries refused to issue any more shares. They said that they preferred to have an overdraft at the Bank than to issue one more share in Barbados. If I were to take the hon. member seriously I would get angry. I am not saying anything to injure the prospects of the company but the overseas Directors of Banks Breweries absolutely refused to offer more shares to the public of Barbados, and I am saying that one must come to the irresistible conclusion that the only reason why they did not issue more shares to the public of Barbados is because they did not want Barbadians to get control of the Breweries.

4.10 p.m.

The small man in the street, the small shopkeepers whom the hon. member for St. Joseph has talked about dressed up in their Sunday-best and went like sheep to the slaughter to the first General Meeting the Brewery had, something that never happens in an industrial country. Shareholders do not go to a meeting. You vest control in the Directors of the establishment where the Directors have controlling interest in the enterprise. To me it was a most pathetic sight to see all these small shopkeepers, small peasants and so on dressed up in their Sunday best going to that hypocritical meeting they had at the Brewery which they called the first General Meeting; but you see, Barbadians are not accustomed to being participants. Some fellows around here may hold shares in Standard Oil of New Jersey, but they do not get a plane ticket and say they are going to the meeting with their ticket and invitation card. That is nonsense. That is the kind of Billy Sunday, Macpherson, Billy Graham atmosphere of what I should call the industrial evangelism which was created to mesmerize the public of Barbados that this was the greatest thing that happened in creation, and some of the Government Ministers in the last Government were so mesmerized.

Mr. Speaker, I welcome the presence of a brewery in Barbados and I wish people in Barbados would drink more Banks beer and not less. Why should I ask them to drink Carib or Heineken? I want to get as much revenue as I possibly can. Before I imposed the consumption tax in June, 1962, there was no revenue from Banks beer. We were losing revenue to the tune of \$500,000 a year. Now which country in this world can afford to surrender 3% of its Government revenue for the sake of employing a mere 50 or 60 people. If you calculate it, Sir, you would see that it would have paid the Government better to pay 500 people in this colony a pension of \$20 a week for the rest of their natural lives than to have granted pioneer status and the concessions to Banks Breweries in the way in which they were granted. I make that bald statement. We began to lose before this Government came into power \$500,000 a year as a result of the establishment of one undertaking employing between 50 or 60 people; so what is all the noise about? When I assumed office as Minister of Finance, I discovered that the Civil Servants, God bless them, had presented Government with a deficit of something over \$3 million; so the hon. junior member for St. Joseph wanted me to bring in taxation here to tax bicycles, food and all kinds of commodities which only a lunatic or madman would want to tax in a community like Barbados. Only in the last resort would one come to taxes on food and bicycles.

I will tell you my general economic theory. I only have one economic theory on taxation and it is this: when you are putting on taxation, put on taxation to collect a lot of money and not to collect a little bit of money, because if you put on a tax to collect a little bit of money you are going to get the same level of opposition from the Opposition, and in the newspaper as if you put on taxation to collect a lot; so one might as well get abused for a lot of money at one time as a little bit of money at several different periods. That is my theory and it is a very simple theory, and it is an exercise perhaps known in simple arithmetic that does not involve calculus either. The calculus on taxation is not involved. You look for items which are luxury items, and secondly items which may cause depletion in revenue, and if you do not have a precedent, you try to make a precedent by taking into account supply and demand if you want to put on a tax. The only graphical analysis available was the

tax which the last Government put on, and that is the only way in which one can gauge or assess the propensity of the Barbados public to maintain the consuming power when the level of taxation was at a certain figure.

The effect of the consumption tax which was put on, Sir, was calculated to increase the price of one bottle of beer from about 21 cents to 29 cents per bottle, and the remarkable thing about it is that the price of locally produced beer should still have been five or six cents below the price of imported beer, the price which had been created by the imported duty put on over a year ago by the past Government and which nobody had complained about. The public had become wedded to the idea of a bottle of beer between 21 cents and 25 cents and when it went to 28 cents — there was no particular crisis between the Russians and the Americans at that time — the local newspapers must have something to put on their front page, so they started a vicious headline campaign against the imposition of the tax, but at no time did they point out to the public that the taxpayers of Barbados were subsidising the Breweries to the extent of \$1/2 million a year, neither did they point out to the taxpayers that the projected price of beer after the imposition of tax would still make the price of locally produced beer five cents or six cents below what beer was before. It is remarkable that the consumption tax applies equally to imported beer as well as to locally produced beer, so that it would have been five or six cents below; it was something like ten or twelve cents then after. The differential between the imported beer and the locally produced beer was even greater than it was before the imposition of tax, because imported beer had to pay the import duty plus the consumption tax. The local beer paid only the consumption tax and this is what actually happened. Coupled with that, Sir, one of the directors — and I am not going to make any bones about this at all — flushed from the triumph of his defeat in the elections in British Guiana, and also from the triumph of the riots which they had in Georgetown and the devastation which had taken place down there, in this flush of victory from all of these great circumstances attendant upon the downfall of that country, this particular director felt that this was a country in which the same kind of atmosphere and civil commotion should be created, and he also started a campaign against the public buying his own product.

I am saying, Sir, that if I were a director of Banks beer and the Minister of Finance put on a consumption tax, which is no innovation and which happens all over the world, on my commodity, I would start a propaganda campaign in the newspaper to say this commodity is really worth three times the present price and there is no kind of tax that a Minister can put on this commodity that I manufacture that would make it undersirable for the public to buy it. I would say Banks is worth three times the price, that you are now getting it at 28 cents while you should be paying something like 84 cents, but you are getting it for 28 cents. If a man is sincere he does not start a campaign to project in the minds of the public unless you are playing politics that your beer is too expensive and that the Minister has broken faith with the breweries. What faith have I broken?

4.20 p.m.

Who has broken faith? I never had any agreement, *sub rosa* or otherwise, with Banks Breweries so I cannot be breaking any faith. I will only say that far from breaking any faith that Banks Breweries recommended to the last Government that they would be willing to pay a consumption tax on the production of their beer and I imposed that taxation after the date that they fixed. I am giving this because the date which they fixed was the 31st May, 1962 and I put on the consumption tax in June — a month later. The 31st May, 1962 was the date when the West Indies Federation would have become independent and they stated that from that date they would pay a consumption tax, so the only quarrel is that my tax was imposed on 27th June, 1962, which is a whole month later than the date which they fixed. They did not tell this to the public so the difference between the then Directors of Banks Breweries and me was only as to how much the consumption tax would be. As I

have said already. I could not go to them and tell them, as a matter of fact, I did not even tell my Ministers. Perhaps, this is what they were annoyed about. Perhaps they were annoyed because I did not consult them about the tax before because that is what they were accustomed to from the last Government. Mr. Speaker, I put it on, so if I put it on I can take it off. I think the price of beer is slightly beyond the range of the purchasing public.

Now, Sir, after the tax was imposed, I said it would mean a difference of eight cents a bottle. We had this campaign and naturally, in the hard times, the out-of-crop season, with this kind of relentless campaign by the newspapers raised against the imposition, they projected a bad image of their own product, and the sales went down. At the same time, the importation of beer did not improve. It was not merely a question of the people drinking other beer to the exclusion of the locally produced product; there was a general falling off in the consumption of beer altogether. This consumption tax was never a tax on Banks Breweries; this was a consumption tax on all beer imported in the colony and that brewed in the colony. After the tax was imposed, there was a falling off in the consumption of beer, not only of Banks but of beer imported in the colony too. I came to the conclusion after studying the statistics that I had made a miscalculation in the elasticity of the demand for the product and my dropping the consumption tax is purely a brief one. During the time I will study from the statistics what is the real level for consumption tax. After I am satisfied over the elasticity of the demand the tax may go up or come down. I can make no predictions at all.

Mr. Speaker, I am not going to make any further statement in reply to what has been made here. When the hon. senior member for St. Peter talked about scaring away capital and all that, despite the ignorance of the Minister of Finance, I can say that our local Barbados loan was over-subscribed this morning in less than 30 seconds. There was a loan of \$500,000 or \$1/2 million at 63/4% at discount of 95 which was taken up on the London Market on 13th December last and that remained open for about five and a half minutes but we had to give instructions to the Accountant General to close the local loan at thirty seconds after nine o'clock this morning because it was substantially over subscribed. This response, following the four times over subscription of the Barbados Government stock, the issue of which was opened in London on 13th December, at 10 a.m. and closed five minutes later, shows that there is a tremendous confidence both overseas and locally in the financial ability of the Barbados Government.

GOVERNMENT BUSINESS

Mr. SPEAKER: It now being 4.30 o'clock, the House will proceed to the consideration of Government Business.

RESOLUTION FOR \$110,000 RETURNED BY OTHER PLACE

Mr. SPEAKER: In the absence of the Leader of the House, I wish to inform the Hon. Premier that there is a Resolution returned from the Other Place in which there is a slight correction — the word "and" has been substituted for the word "any" — and I wonder if the Government will deal with the matter now.

Hon. E. W. BARROW: Mr. Speaker, I will deal with that now. This is a Resolution which was passed on 4th December, 1962, for the sum of \$110,000 under Head 9, Miscellaneous, Item 3.

This Resolution was passed by the Other Place on the 15th December last, subject to the correction of a typographical error in the eleventh line by the substitution of the word "and" for the word "any".

I beg to move that this amendment be now read a first time.

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

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

On separate motions of Hon. E. W. BARROW, seconded by Hon. C. E. TALMA, the amendment was read a second time and agreed to.

THE PERJURY BILL, 1962

Mr. SPEAKER: The first Order of Government Business stands in the name of the Hon. Premier: Second reading of a Bill to consolidate and simplify the law relating to perjury and kindred offences.

Hon. E. W. BARROW: Mr. Speaker, as hon. members will see from the Objects and Reasons, the law of perjury as it is now is contained in several enactments and it was at that time when we were considering the Bill to make provisions to determine and regulate the immunities powers and privileges of the Other Place and this Place, which Bill is on the Order Paper, that we came to the conclusion that there were certain anomalies in the law relating to the making of false statements either on oath, or false statements before quasi or judicial bodies.

4.30 p.m.

The present Bill seeks to classify the offences into three groups. The most serious grade consists of the offences punishable with seven years' imprisonment, or with a fine or both such imprisonment and fine. Of these there is "perjury" as described in Clause 3 of the Bill. It will be observed from Clause 2 (1) that the term "judicial proceeding" is employed in the Bill in a wide sense which will cover not only inferior courts but also many matters of administrative business. Also included in this grade is the making of false statements on oath otherwise than in judicial proceeding, including the wilful use of a false affidavit for the purposes of the Bills of Sale Act, 1893-1. In addition, this grade also includes false statements with reference to marriage which some people may not regard as being so serious. I must hasten to add that this does not include false statements made by one spouse as to one's eligibility to be a husband or anything of that kind. The second grade of offences consists of false statements as to their registrations of baptisms, marriages and burials. It also consists of false statutory declarations and other false statements without oaths. This grade is punishable with two years' imprisonment or a fine or both.

The third grade is that of the offences for which the punishment is imprisonment for a year or a fine or both. These offences arise when a person makes a false declaration in order to obtain registration and matters of that kind for carrying on a vocation. Clause 6 of this Bill deals with aiders and abettors and suborners while Clause 10 deals with the subject of venue. The object of Clause 11 is to confer upon judges, magistrates and coroners the power to direct prosecution for perjury and Clause 12 relates to the form of indictment for the purposes of the Bill. Clause 13 seeks to perpetuate the time-honoured precaution which the common law of evidence imposes in prosecution for perjury, namely, that a person shall not be liable to be convicted of any offence against the Bill or of any offence declared by any other act to be, or to be punishable as, perjury or subornation of perjury solely upon the evidence of one witness as to the falsity of any statement alleged to be false. This is a precaution which the common law has already sanctified and it has been sanctified both by practice and statute in this island. When we come to Clauses 14, 15 and 16, such provisions as are deemed necessary are sought to be made relative to proof of certain proceedings, which perjury is assigned as well as to savings, repeals and amendments.

Mr. Speaker, I will add that the law relating to perjury in Barbados is a very antiquated one and since our law was passed, we have had the United Kingdom Perjury Act of 1911 but we have no equivalent statute in Barbados to that one. In the present state of the law, the offence of perjury is punishable only with six months' imprisonment and it is a restricted judicial procedure. If a person commits perjury under judicial proceedings, he is liable to prosecution before a magistrate. Under the Act which we are now intro-

ducing, the offence of perjury will be punishable both summarily before a magistrate and by indictment before a jury according to the gravity of the offence, the case proceeding as to where and when the offence may have been committed. I beg to move that this Bill be now read a second time.

Hon. G. G. FERGUSSON: I beg to second that.

Mr. SMITH: Mr. Speaker, I do not have much to say on this Bill. As a matter of fact, I could not read it because of an eye ailment. However I noticed from the "Objects and Reasons" that the most serious grade consists of the offences punishable with seven years' imprisonment or with a fine or both such imprisonment and fine, as is described in Clause 3. It will be observed from Clause 3 that there will be a term not exceeding seven years' imprisonment and a fine also in case of conviction of a person who is found guilty of perjury. In my opinion, that punishment is a little bit too rash. Imagine that you are going to imprison a person for seven years or you are going to imprison and fine him as well! If a person goes to jail for seven years at the end of that period when it should be that he has paid the penalty he is still faced with a fine! The soul that sinneth must die but I still feel that this punishment is a little too hard and then what is the amount of the fine? It could be a fine of £300, a fine of £1 or what? We should be told how much the fine is. After all, Mr. Speaker, we are not so bad in this country.

Hon. E. W. BARROW: On a point of order. The Clauses in the "Objects and Reasons" of the Bill are not supposed to repeat the wording of the different Clauses of the Bill, but only to set out in a summary way what the Bill is about.

4.40 p.m.

If the hon. member had read the Bill as he should before he comes here — after all they had it long before the vacation period which is over five weeks — I feel sorry for him because we intend to go through with it today.

Mr. SPEAKER: The hon. member said he is suffering from an eye ailment.

Mr. SMITH: Mr. Speaker, as I said, I am suffering from an eye ailment and I cannot see to read as I should and the hon. member heard that.

Hon. E. W. BARROW: Mr. Speaker, on a point of order, I suggest that the hon. member allow those members who have read the Bill to make legitimate criticisms.

Mr. SMITH: Is the hon. member suggesting that because I have not read the Bill I must not say anything on it? I asked the Hon. Premier what is the fine. It is my right and privilege to ask for information. The Objects and Reasons say there can be a term of seven years and a fine. I am asking the Premier therefore if he does not think it is too hard for one person to be given a term of seven years and fined also, because it is all well and good when we pass these Bills, but sometimes they catch up with somebody belonging to us or with ourselves, and it is then that we find it is too hard; so this is the place where we should remedy it and correct it. I feel, Sir, that when one has served a term of seven years he has served a good gaol term, but then he has to pay money too. After that, it would be the gallows. After all we do not meet so many of these cases. I do not go around the Law Courts to know, neither do I read so many cases in the newspaper to show that we are so bad and vile in Barbados that we have to increase the penalty for this offence so as to prevent people from daily committing offences of this sort. I would say that offences of this kind are, comparatively speaking, nil. I do not hear about perjury once in every ten years, nor do I hear about people going to gaol for perjury monthly or at every Sessions. We are decent citizens and live happily and honestly in this country.

Mr. Speaker, anyone taking up a newspaper in the outside world would think that the people in Barbados are living so vilely and badly against each other by committing perjury and things of that nature that we have to do this to prevent it. The Hon. Premier said that the maximum term for perjury was formerly six months, and now he is increasing it

to seven years with a fine also. This does not sound good for the Island at all in my opinion, since we are trying to attract tourists and other people to come to our country and have a good time. You are now telling them to be careful and that there are people here who would lie on them at any moment and confess falsehoods and to protect them you have to impose a term of seven years and a fine also. I could understand it if this were a country where this was a monthly or even yearly happening, but I do not hear anything about it. When it does happen, I would say it is a mere accident through the way in which Barbadians live; in other words, we are truthful speaking people.

The Hon. Premier, Mr. Speaker, should have told us how many offences are committed per year and whether they are on the increase and therefore we have to do something to keep them down. I daresay he cannot tell us how many cases per year there are, but I would be very glad if you would tell this House how many cases there are before this Bill goes to the vote, and I am asking him through you, Sir, to let this House know the percentage of offences.

Hon. E. W. BARROW: On a point of order, Mr. Speaker, the hon. member does not have to wait that long, because if he is asking me how many times perjury is actually committed in the Law Courts, I would say in every case, because the side that loses must necessarily be committing perjury. If he asks how many prosecutions there are, I would say there are probably less than five with no convictions, because the present Perjury Act does not give the magistrate the option of imposing a fine on the people who are prosecuting, so that the magistrates expect a much higher standard of proof. If you ask how many times perjury is committed and you say that Barbadians have a reputation for being truthful and honest, that is not what I hear in Trinidad calypsoes.

Mr. SMITH: Mr. Speaker, imagine the Premier going by calypsoes. He wants to govern the country by calypsoes. Suppose a calypso comes up tomorrow to kill every Barbadian; is he going to kill them? A calypso is a calypso and calypsonians make their living by singing any thing. They soon will be singing one on him, I am sure. The point I want to raise is that the fine is too heavy. The Premier said that the ones that have been convicted are less than five per year.

Hon. E. W. BARROW: On a point of order, I said that prosecutions are about five per year and convictions practically nil.

Mr. SMITH: What is the reason then for making the fine so heavy? If the magistrate's hands are tied and he cannot fine, loose his hands a little. One can never tell! The Premier himself may slip into this thing, and the law would catch up with him, with me or with you, Sir. As the old people say, "what has not caught you has not passed you". I am saying that seven years and a fine are too much. If you are imposing a term of seven years, you should take off the fine. I am not saying that a person must not be punished heavily, but the fine is the thing, and I am appealing to the Premier, if he can see his way, to amend it by taking out the word "fine" and let the seven years remain. If you want to impose a fine also, you should cut the term of imprisonment in half to about three years.
4.50 p.m.

Three years is a lot of time; three years is a long time. You say seven years; you would not say five. I am appealing to the Hon. Premier and hon. members to agree to a reduction. I do not want to move an amendment and then be left in the cold but I am saying that seven years is really too many, particularly in view that you can impose that term along with a fine. You get magistrates of today who are turning on the heat in full and I believe that some of them are sorry that they cannot put it on a greater degree. Do not leave the gap so wide and depend on a magistrate's discretion.

We are going to catch up with this. This is going to affect the very poorest, not the big shots. If you are a big shot you will be able to put on a hat and cover down. There was

an old man who when you caught him firing one, he said that was one to cover down. You never will be able to catch the big shots on this offence but it would be the poor defenceless ones who would come under the hammer. Mr. Speaker, I am sure if you were on the floor of the House that you would second the motion which I would like to move because I know that in your heart of hearts you feel that it is too heavy to impose a punishment of seven years and a fine.

I am not going any further because I can see that I am going to get some support. I am appealing to the Hon. Premier to let us take out the word "fine".

Mr. SPEAKER: May I just point out that the Bill speaks of a term of imprisonment not exceeding seven years or to a fine or to both such imprisonment and fine. As to the suggestion to which the hon. junior member for St. Joseph made, that may well be dealt with in Committee, if the Committee thinks fit to make any alteration to the penalties in the various sections as there are made one by one.

Mr. WALCOTT: Mr. Speaker, I do not intend to deal with this matter too long. The only Clause which I intend to deal with is that Clause which speaks of false statutory declarations and I believe this will also include a declaration in respect of procuring a passport and things of that nature. May be, when we go into Committee I will deal more fully with that.

I would like to take this opportunity of drawing before the House that apart from what is in this Bill, Your Honour has pointed out that that is supposed to be a penalty of a term of imprisonment not exceeding seven years or it can be a penalty of a fine or both imprisonment and a fine. What I am not clear about is if this Bill refers to other Acts whether you would be able to know what the fine is. Here in Clause 7 it is stated that if any person knowingly and wilfully makes a false statement in a material particular, he shall be guilty of a misdemeanour and shall be liable on conviction thereof on indictment to imprisonment with or without hard labour, for a term not exceeding two years, or to a fine or to both such imprisonment and fine. What sort of a fine? One million dollars, \$1,000; \$100? Are you leaving in the Act that the Magistrate or the Court would be free to impose any fine? Why put a limit on the term of imprisonment which he can impose and do not put a limit on the fine? What sort of a fine do you have in mind? Where are the limitations in this Act for a Magistrate or a Court to impose a fine? While I have no objection to people being punished for offences such as this, I would not like people to be punished without conforming to a code. Some people are now suffering difficulties in obtaining passports and I understand that one of these agencies makes it extremely difficult for people to get passports when they apply and comply to the regulations, because they go and dig up things which do not matter in order to prevent them from obtaining a passport and I hope the Hon. Minister concerned with this will make it easy for people to secure passports and not for people when they like, as some of these Nabobs, create their own structure when anything passes into their hands and they have the authority to act as they act.

Sir, I think we should be told what the limit of the fine should be so that it would be stated in the act what the fine should not exceed. I am not worried over people who commit the offence and the gravity of it or things of that nature. I have my own views. I am not worried about making false statements about marriage and things of that nature. However, it seems to me a very stiff penalty which is imposed on making a false statement about marriage. I feel there are other things for which they should be given five years so I say that because a man can make a false statement about marriage in other ways for which he is not punishable by law. Marriage involves very delicate matters than that which this is going to reveal. Under this Act, offences punishable for marriage if convicted you can get seven years and compare that with making a false statement about a Bill of Sale or for anything to do with property and you find that for such offence the limit of the punishment is two years.

Mr. Speaker, what I would really like to see in this Act is a limit made as regards fines just as you have a limit

as regards terms of imprisonment. Is it consequential that you have an Act where the fine is unlimited and the amount left at the mercy of the Court or at the discretion of the Magistrate? The hon. senior member for St. Joseph is right in what he said because we are evolving from a democracy where some people believe that prison was made for some people and not for other people. There are some people who would say about a certain type of fellow that because he is who he is he you should give him a chance and the Court would say "I would not send this man to jail".
5.00 p.m.

If you are not going to send him to jail then what is the limit of the fine? I want to know if that speaks fairly for what it means and if a fine means a fine, a fine can mean anything.

Mr. CORBIN: Mr. Speaker, I have heard a lot of the remarks made by the hon. junior member for St. Joseph in connection with this Bill. I am saying that any man who has been found before any court of law lying or making any false statement or telling wilful lies, no penalty is too great for him. The real penalty for a man who told lies in former years was the penalty of death, but now the penalty is being reduced to a term of imprisonment or the payment of a fine. There was a man called Ananias and his wife was called Sapphira; he came in and told a lie and he died. She came in and told a lie and she also died. Here we are imposing a term of imprisonment and a fine where a person is convicted of perjury. Because sentence against an evil work is not speedily executed it is set in the hearts of men continually to do wickedness. If a person goes into a court of law and tells lies wilfully, I do not think that any penalty is too great to impose on him. We should know what is the meaning of a false statement; a false statement will overthrow any Government and any home can be thrown to pieces thereby. I am saying that this penalty for telling lies is not too great regardless of whether a man is rich or poor.

Mr. SPEAKER: Does any other hon. member want to contribute to this discussion before the Hon. Premier replies? (After a pause). There being no other hon. member wishing to contribute to this discussion, the Hon. Premier may reply.

Hon. E. W. BARROW: Mr. Speaker, the law in relation to the prosecution of perjury is in the Act of 1890 Chapter 1. I mentioned that because the hon. member is fulminating against the imposition of a term of seven years' imprisonment or a fine or both such fine and imprisonment. I should explain that at one time, in fact, I would bring something to the attention of the hon. junior member for St. Joseph that all penalties, whether the statute actually said so or not, are considered to be maximum penalties by the Interpretation Act of 1949. That being the case, a magistrate can convict, reprimand and discharge a person who has been found guilty of the offence of perjury after this Act comes into force; but at the present time, if a person is convicted of perjury, he is liable to a term of six months' imprisonment. There is no question of the imposition of a fine at all, and that is why we are repealing this Act of 1890. Let us face the position. It is not every one who is convicted of perjury who has committed perjury. Perjury is committed every day in Barbados. If two persons give two sides of a story and a magistrate or a jury accepts the evidence given by one side, it follows as night follows day, that the other side is guilty of the offence of perjury. It may be that the judge or magistrate takes the wrong side. When the hon. member says that a period or a penalty of seven years is too high, I should like to inform him that a man can have his neck broken as a result of a deliberate falsehood told upon him by any person and that is the supreme penalty. It seems to me that it is rather anomalous, to say the least of it, as the hon. senior member for St. Andrew recently pointed out that you can cause a man's death and be liable only to seven years' imprisonment for it. If we were to follow the Mosaic Law the proper thing to do with a man who tells a lie and causes another man's death, is to break his neck too; a period of seven years' imprisonment is not enough. Why are we defending people who commit perjury? Is it because of the affairs of the last Government that you are putting forward this proposition? I do not understand it. Do not let us think

that we are beyond prosecution, that the statutory time has elapsed. We are not introducing this Bill so as to catch the last Government. This Government is not a vindictive Government; we are not introducing this Bill in order to get any member of the past Government out of the way for the last occasion. I do not know, Mr. Speaker, if that is the reason why the hon. member wants the period to be reduced to a period of three years.

Mr. MILLER: On a point of order. As a matter of fact, when this Government came into power we were told of the corruption of the last Government. We have no fear of anything; we need not fear. I have agreed with the Hon. Minister that hitherto it was a question of going to prison for committing the offence of perjury. Let us remember that in the old times you would be.....

Mr. SPEAKER: Will the hon. member finalise his point of order?

Mr. MILLER: I have heard the Hon. Premier speak on a point of order for almost an hour.

Mr. SPEAKER: Well, do not let the hon. member follow a bad example.

Mr. MILLER: We have no fear about any prosecution; there is no reason to worry about it at all. The Hon. Premier has reached a stage where the community is revolting against this attitude of fear.

Mr. SPEAKER: The hon. member is going beyond any point of order now.

Mr. MILLER: I do not think it is fair that the hon. member should continue on this line.

Hon. E. W. BARROW: I hope I have been able to set the mind of hon. members at rest about the Government's motives in introducing this Measure. As I pointed out, it arose out of the Immunities and Privileges Bill. The Act of 1890 Chapter 1 does not even give the option of a fine. Section 3 of this Act reads as follows:-

"Every person who commits the offence of wilful and corrupt perjury....." I do not see how wilful and corrupt perjury could be defended in this Parliament....." (provided the case has not been dealt with under the preceding section) or of subornation of perjury, shall on conviction thereof before a Police Magistrate be liable to be imprisoned, with or without hard labour, for any term not exceeding six months."
5.10 p.m.

"Provided always that any Police Magistrate before whom any person is charged with committing either or the said offences, if he is of the opinion that the offence is from any special circumstances connected therewith one which should be prosecuted by indictment, shall abstain from any adjudication thereupon, and shall deal with the case in all respects in the same manner as if he had no authority finally to hear and determine the same."

In other words, he would carry out a preliminary investigation and remand the person once a *prima facie* case was made out for trial before judge and jury in the Court of Grand Sessions. When the case got to the Court of Grand Sessions, there was no statement equivalent to the Perjury Act in the United Kingdom upon which the person could be prosecuted, and one had to proceed against him by common law. To come around to the point made by two hon. members at least about the non-statement of the maximum fine which can be imposed, at common law in any criminal offence right now there is no statement either about the period of imprisonment or about the maximum fine which can be imposed; but at statute law under the Criminal Justice Acts in the United Kingdom, there is a maximum term of imprisonment for misdemeanours and maximum terms of imprisonment for felonies, but even there one does not state the maximum fine that may be or can be imposed.

If I may come back to our local legislation, we have a common, ordinary garden statute or common law indictable

offences as Offences against the Person, Offences against Property and Offences against the State. These are found under the criminal laws of this Island around 1868, from 1868, Chapter 1 to 1868, Chapter 5, and nowhere will you find, except where the offence is deemed to be a summary offence, any mention of the maximum fine to be imposed; so this is no innovation which has been introduced by this Government for the purpose of convicting members of any political Party or any other person. This is common, ordinary or garden criminal procedure. Moreover, you will find that the question of fines is specifically dealt with in 1868-1, 1868-2, 1868-4 and 1868-5. These statutes are the Larceny Act, the Malicious Injury to Property Act, the Coinage (Offences) Act and the Offences against the Person Act, and if I may give you an illustration of how the question of fines is dealt with now in the Assizes, I will read from the first statute, the Larceny Act of 1868, section 101. It reads as follows:-

"Whenever any person shall be convicted of any indictable misdemeanour punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any of the punishments by this Act authorised, fine the offender, and require him to enter into his own recognisances, and to find sureties, both or either, for keeping the peace and being of good behaviour; and in case of any felony punishable under this Act, the court may, if it shall think fit, require the offender to enter into his own recognisances, and to find sureties, both or either, for keeping the peace, in addition to any punishment by this Act authorised; provided that no person shall be imprisoned under this section for not finding sureties for any period exceeding one year."

In the Act of 1868-1 whereas before it only mentioned that a person can be fined or imprisoned, you would find that it gives the court authority to allow the person to enter into his own recognisances with or without sureties. Similarly you will find provisions relating to the fines in the Malicious Injury to Property Act, 1868-2, and similarly in 1868-4. In these indictable offences, the sections are 101 of 1868-1, 58 of 1868-2, 33 of 1868-4 and 70 of 1868-5. In all these indictable offences you must remember that perjury is being made statutory indictable offences. It was always an indictable offence at common law. You do not find common law set out in the Statute Books either of England, I cannot say the United Kingdom because there is no Statute Law of the United Kingdom except by express reference to Act of Parliament, the Laws of Barbados, the Laws of Trinidad and so on. You will not find common law set out in any book. Common law is something which we have inherited, therefore in evolving and developing common law, one never restricted oneself in terms of monetary considerations. Judges have always had power to impose fines on a person for the committing of certain offences.

If I may give hon. members a re-assurance, I think that you have practised at the Bar for almost twice as long as I have, and I think you will have found out all the fines which have been imposed up to the present time by judges in the Courts of this Island. Where judges have imposed a fine, I have known of no instances in which a fine has exceeded £50. There may have been a few isolated instances in which the judge imposed a fine of £100 on a person found guilty of an indictable offence, but there are few instances and most of the fines have been maximised in the vicinity of £50, fines varying between \$20 and \$240. That has been my experience. One has to leave it to the discretion of a judge whether he is going to impose a maximum penalty of seven years on a person who has committed perjury or whether he is merely going to convict, reprimand and discharge that person. It is not for the Legislature to dictate to the judge the circumstances of cases which may arise, because cases, like politicians, can be distinguished on some of the finer points and some of the cruder points as well, and there are no two cases which are *in consimili casu* in everything is not equal in all respects, like the geometry of that famous Whig, Mr. Steven Leacock "there are no two cases which are equal in all respects." Therefore one has to leave a large amount of discretion for the judge to say what kind of punishment should be visited upon the offender according to the circumstances of the case. All that we have done is to impose a maximum to put a limit on his discretion; the actual quantum of the fine or the punishment which is

actually imposed is one which must always remain with the trial judge, and it would be, to use the phrase of an eminent legal luminary in Trinidad who is a friend of mine, monstrously inept for us at this stage to try to fetter that discretion.
5.20 p.m.

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

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

On motion of Hon. E. W. BARROW, seconded by Hon. C. E. TALMA, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BATSON in the Chair.

Clause 1 was called and passed.

Clause 2 was called and passed.

Clause 3 was called.

Hon. W. A. CRAWFORD: I beg to move that Clause 3 stand part.

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

Mr. WALCOTT: Mr. Chairman, the Hon. Premier made a statement but it is not clear or logical to me. When I raised the question about the fine, the Premier's answer was that they are not going to fetter the position of justice by stating what the fine should be. I do not agree with that. For him to say that and for him to put judges on a plane which you cannot say anything to a Court, then, for that reason you need not say what the maximum punishment should be. I do not see the logic in his statement. Of course, lawyers have a peculiar way of talking about common law and the statute law and they talk as if the common law in Great Britain is applicable to the world. They talk as if the world is governed by British law.

What is the use of telling me that because the common law of Great Britain does not specify a fine and it is not the law now to stipulate a fine that we should not stipulate the fine? What is wrong in passing a statute law to say what the limit of the fine should be just as you say what is the limit of the term imprisonment should be? We are passing by statute what the House of Assembly thinks. England is not passing this, Jamaica is not passing this. Trinidad is not passing this.

We are saying if a man commits an offence he shall be sentenced to a term of imprisonment not exceeding seven years. Why say seven years and yet you say that we cannot say what the limit of the fine should be? Are you fettering a judge to say that? You say what is the limit of the term of imprisonment but you say that you cannot stipulate the fine. You do not mean to say that any Lord Lawson or any lawyer will tell you that you are going to fetter the law by saying that. If we in here tonight decide that we should put in a fine not exceeding so much, how can any judge say that he is not in a position to administer the law by our doing that. You tell me that a judge would not be able to administer the law if you put in a maximum fine. We can put in a maximum fine and I say that if any judge does not like it, he can resign. You say seven years and you say that that is the maximum. Why not say 45 years? Do not tell us that we cannot pass a law saying what should be the maximum fine.

I am not dealing with the point with which the hon. junior member for St. Joseph dealt because I agree that if a man makes a false statement he should be punished. The hon. senior member for St. Andrew talked about Ananias and Sapphira. Bring us a little nearer home. Do not carry us to the days of Moses. I want to come a little nearer home and be a little more humane about our treatment. I hear an hon. member saying that a false statement can cause a man's neck to be broken.

Why should a judge have the full scope of saying what the fine should be and you say that there is no maximum fine stipulated for the other offences? I do not know if the

lawyers feel that you should put in the Act a limit to the term of imprisonment because you do not want a person to take away your liberty forever. As I have said, an hon. member said that a false statement can cause a man's neck to be broken. Someone makes a false statement which causes a person to go to the gallows and you say the limit to that is seven years. That person if indicted and goes to prison can come out and lie again in such a manner as to cause somebody else to go to the gallows.

We want to know what is the limit of the fine. Is it \$1,000; \$1/2 million? There is no point your telling me that the judge can have his discretion and that you are not interfering with his discretion. I do not subscribe to these what I would call mosaic ideas that because the common law in England does not say the fine that we cannot say the fine.

Mr. MOTTLEY: Mr. Chairman, I am sorry that the Hon. Premier is not in his place. I want this matter cleared up. If you take this section, it merely deals with a Superior Court because it speaks of an indictment which means that it is a case which is before a judge. I am going to agree with the mover of the Bill that this has always been the custom but I say this. I have had some experience in this matter. I have seen a case of perjury where a magistrate felt that it was a case which could cause the person to go to prison so he sent the case on to the Assizes because he felt on the evidence that the Grand Jury would let the man go.
5.30 p.m.

The hon. member remembers that well. It is therefore such custom and tradition in Barbados and it may be the usage and practice in England that you do not put in the maximum fine. I share the sentiments of the hon. senior member for St. Peter. Are you asking me to say: "Yes, I am so outrageous as to pass a Bill like this to say that magistrates both inferior and superior should have the same power?" You have some people who may steal something for 15 cents, and a magistrate will impose a fine of \$200. I am asking that this Section be postponed. It may be that the Hon. Minister of Agriculture can tell me what I am asking about. This is an amendment to the Perjury Act. You can commit a false oath which will not be perjury.

Hon. E. W. BARROW: This is not an amendment to the Perjury Act. If the hon. member looks at the first Schedule of the Bill he will see that the Prosecution of Perjury Act, 1890-1, is being repealed together with nine or ten other enactments. This is a new Perjury Act along the lines of the 1911 Perjury Act of the United Kingdom. Perjury used to be a summary offence, an offence prosecuted in a magistrate's court. It is no longer to be an offence triable by a magistrate at all; the magistrate can only hear the evidence in a summary way. Under this Bill a person can be sent to jail for a period of seven years and be fined or the judge can convict, reprimand and discharge him; the judge can decide to let that person go. You certainly have a better chance under a trial by indictment than you had before a magistrate where there was no option of a fine at all. I should like to stress, for the benefit of the hon. senior member for the City, that we are not amending the Perjury Act of 1890; we are repealing that Act altogether and bringing the Act into line with legislation obtaining in the United Kingdom.

Mr. MOTTLEY: Then no longer can a person be tried before a magistrate for the offence of perjury; but before a Magistrate he has the option of the case being sent to the jury. However, I must share the sentiments which have been expressed by the hon. senior member for St. Peter that everything which is done in England cannot be done in the colonies. There is nothing wrong if this Chamber decides that if we can limit the term of imprisonment to a term of seven years we can also limit the amount of the fine. We have had the appointment of judges dependent upon political appointments. Let us take the last Federation; the Chief Justice of the Federation depended upon a political appointment which meant that the Prime Minister could do what he liked. If a judge has political leanings in one way or the other, what is to prevent anything from happening? If we

can say that we cannot exceed this period of seven years then we ought to be able also to say that we cannot exceed a fine of \$1,000. Human nature being what it is, if a judge depends upon a political appointment he will lean to that side. I therefore feel if that we should limit the term of imprisonment there is nothing wrong in saying that the maximum fine should be \$1,000.

In other words, this is a small country; everybody knows each other in the West Indies. There are those of us in this Chamber who have implicit faith in the administration of British Justice but we should certainly protect the people of this country in seeing that when we enact this legislation and say that a superior judge can only sentence a person to seven years, we should also be able to limit the fine to one of \$1,000.

Some hon. member has made some remark about some political intrigue but on the question of this fine, I share the views of the last speaker that this section should be amended. I am suggesting that this section be amended by the insertion of the words "not exceeding one thousand dollars" after the word "fine" in the penultimate line of sub-section (1) of this section. For the reasons which I have given I therefore beg to make that motion.
5.40 p.m.

I am in favour of both because the judge should have that power to fine not exceeding \$1,000. I agree to putting in "or to both such imprisonment and fine." I see nothing wrong with that.

Mr. WALCOTT: Mr. Chairman, I beg to second that. I go further. I have enough strength in my argument from the reading of Statute Law in England. The reason why I am in the Trade Union is because people were sent to prison for doing nothing. Judges were made judges by the aristocracy and they sent people to prison. When people talk about English jurisprudence and the sanctity of British law, they must remember that men went to gaol in Britain for doing nothing and they had to pass statute law to limit the harshness of judges. In the colonies it is worse. We are reaching a stage where we have to evolve our own laws around the people with whom we deal. I agree with the hon. senior member for the City that you get these lawyers living in the clouds and only looking in law books when they come to mete out punishment. When a person carries away a breadfruit worth six cents they want to fine him \$50, or if a man rides a bicycle without a light, the fine is so heavy that he would have to sell the bicycle to pay the fine. A man may ride a bicycle across Drax Hall cartroad and a policeman comes from the canes and reports him for riding without a light and he is fined \$25. On the other hand a man parks a motor car half way in the road for fourteen days, nobody moves the car and you have to go around another road, and yet nothing happens.

Mr. Chairman, I would be the last man to encourage people to be lawless and to break the law or to be indifferent in any respect to law and order. I respect law and order and I respect the Courts, but this is politics. We are not asking anybody to break the law or to commit perjury, but what we do say is that we are passing a statute law here today, and we want to know what is wrong with giving the judge the discretion of imposing \$1,000. Do you intend that the sky should be the judge's limit? The hon. member has said that we are reaching the stage of political Attorneys General; this Government now can appoint a political Attorney General if it so pleases under our constitution and the Attorney General's office is now vacant. I was charged, though not criminally, for some bogus business with election returns, and that was because there was a difference of political persuasion. Some of these cases will be cases that originate from a magistrate. Do not think they are sending you up to the judge because another section says "where a Judge, a magistrate or a coroner", that is to say, if you go before a magistrate and he determines that you have committed perjury, and he brings an indictable case against you, the magistrate is going to determine that you should be charged for perjury. If you go before a coroner and he decides to bring a case, you are charged indictably and go before the Supreme Court. The Premier said that not many cases are brought, and

that is the whole essence of it. Sometimes you do not get a case for 25 or 50 years, but it is convenient because it suits the person you are bringing a case against. I really cannot understand the logic of the law where in one breath you can say it is common law and in another breath it is statute law. What is the sanctity of common law as compared with statute law which puts you before the same man? You can pass a statute law saying that certain cases are indictable cases as we are now doing. We are passing a law which says that a case which used to go before a magistrate must now go before the Supreme Court. Lawyers passed these things before. What I do not understand with lawyers is that one lawyer will tell you that if you take up something, you are right, or if you take up something in your left hand, you are wrong. The judge is a lawyer and when two lawyers go before him, he decides one is wrong. You do not say after one has lost his case that he is no longer a lawyer because he advised the man wrongly, but if another man does something wrong, you say he does not know what he is doing. My idea is that you should scrap the law, because if they are arguing about what they learn or go before a lawyer and appeal from his decision and decides to go further, if there were 89 courts, they would go to the 89th because they are not satisfied with the interpretation which the Courts gave in the case, and they are all lawyers trained in the same system of law.

Mr. Chairman, this is politics and as a politician we are passing statute law to protect and deal with people whom we serve, and it is not for the judges to tell us that we should put the maximum fine. It is for him to interpret what we pass. I do not understand how a magistrate could deal with perjury before and now we are taking it out and doing it this way today. The Hon. Premier could not get this done by common law, therefore if we are doing it in the House of Assembly, what is wrong with us in the House of Assembly saying this is really what should be done. There is this slavish idea that because under common law you did not give the judge the right to fine in these circumstances, we cannot now say what the fine should be. Let us take a case, Mr. Chairman, in which a man told lies about marriage, a case of bigamy. It is one of those foolish things that men and women do. You have bogus laws where the Statute of Limitation applies to a man who owes you money or lives in your place. Why doesn't the Statute of Limitation apply when a woman walks away from your house for 15 years? I am revolutionary about this Marriage Act. I am a peaceful married man for the last 23 years, but everybody is not as lucky as I am and I do not think that my luck is spread to everybody, and I do not see why sometimes this weight that hangs around a man's neck cannot be relieved. If a person wants to go about his business, let him go. It should be like Africa where under such circumstances you can go and choose another. That is how I look upon it and when a man wants to marry again, he should be able to finish with his first wife and start again, and if he has children to support let him support them. Are you going to kill a man for that? Sometimes a man would like to get out of a certain marriage to get relief or because he may want to get married again, and I do not feel that the Statute of Limitation should apply.

Mr. Chairman, I agree with the Hon. Premier. We are not suggesting that you should tell the judge to give a man a day, five years or six years. You have increased the term to seven years, but the judge can give a day or reprimand and discharge; but what seems to us strange is that you do not have in this Perjury Act the limit of the fine. The maximum may be \$1,000 or ten cents, but it would not prevent the magistrate or judge from putting on one day and \$1,000 or one day and \$10.

Hon. E. W. BARROW: Mr. Chairman, I will just explain again for the benefit of the hon. members who have spoken on this Clause in the Committee stage that there is a superior court, the Court of Records and the Court of Summary Jurisdiction under the Police Magistrates' Act. There was a financial limit on the type of case that a magistrate could try, let us say, under the 1868-2 Act, sections 40 and 41 which is the Malicious Injury to Property Act.

5.50 p.m.

If you maliciously damage another man's property and the extent of the damage was below £5, then a magistrate would try the case. If the damage was above £5, then it would be tried by a judge.

There is no limit to the fine which a judge can impose and I read out a list of the most serious criminal offences. One of those offences is that of unlawful carnal knowledge. There is no fine under that. The Court has its discretion to send you to jail or to impose a fine or to send you to jail and impose a fine also. Let us take the case of perjury. As I explained in the second reading of the Bill. In the prosecution of perjury under the Act, the case can be tried by a magistrate and there was a limit to the amount of imprisonment a magistrate can impose and there is no option of a fine at all. In every case of summary trial there is a limit to a magistrate's discretion but there is no limit to a Court at all on criminal offences especially those offences committed under the common law. Therefore, you will get this anomaly if you follow the advice and the suggestion made by the hon. senior member for the City and the hon. senior member for St. Peter. You will be able to prosecute a person for perjury under the statute law and there will be a limit on the amount of fine which a judge can impose if the jury returns a verdict of guilty whereas under common law, there is no limit on the fine which a judge can impose. You can see clearly that you could not have two different scales for penalties or punishments. There is good reason a draftsman sets out the provisions of the Bill in the way he sets it out. If we did not have some kind of rule, if we did not have some traditions and if we had to dot the 'i's' and cross the 't's', and Courts had no discretion to exercise then I am afraid, the whole machinery of justice in Barbados or any part of the Commonwealth would come to a standstill. Being myself not necessarily a stickler to authority and tradition, I advise hon. members that it is in the best interest of the community to let the clause remain as it is, although you do not have to accept my advice, but I must point out if the hon. member insists on proceeding with the amendment, he would be placing the law in a very awkward position. It would mean that we will have to pass a special bill making common law inoperative because you will find two different scales of perjury and still say to the Attorney General if he brings it under the Common law.

Mr. MILLER: Mr. Chairman, I do not think we have to go as far or need to be worried about this. This is tradition of over 2,000 years but we are just in a little parliament of our own. We have put a ceiling of seven years but we are expected to leave open the ceiling of the fine. The very reason that the draftsman allocated a period not exceeding seven years to the ceiling of the term of imprisonment is not because he wants to curtail the discretion of the judge, therefore if we of the opposition put a ceiling of \$1,000 to the amount of the fine that cannot mean that we want to curtail the discretion of a judge and that must be our ruling. We are at least expected to exercise some sort of discretion.

I can see the Hon. Premier's point of view. Of course I am not happy about the ceiling of seven years. I know you can make it seven years and the judge using his discretion can give you six months. I do not think any Chief Judge would be hindered in using his discretion if you put a ceiling of seven years and a ceiling of \$1,000 nor do I think it is more than what the Hon. Premier can give way to.

Mr. MOTTLEY: Mr. Chairman, we are agreed as to the amendment of seven years but because of the experiences in this matter which I have seen so often over the past years, I will counsel hon. members to bear this carefully in mind. In the majority of cases where you appear before a magistrate, perjury is a case in which the average citizen can bring. It is a very simple thing which we have noticed and from my experience, and barristers will also tell you, very often the very people who are charged with perjury were telling the truth, but people were able to bring a charge against them of perjury because other people ganged up against them to prove what they were saying was untrue. Very often, the statement for which he was charged for perjury and which he made was relevant

though it proved to be untrue. That has happened very often. I have been through the days of the Hutchinson — Kinch cases. Very often, nine cases out of ten, the person who was charged for perjury eventually was the person telling the truth but witnesses on the other side ganged up against him, what you would say ganged up to work him out.

Sir, perjury is not an offence for which a magistrate has to direct a police to bring. Perjury is an offence which can come about if a case is brought against someone and you feel a witness deliberately told an untruth, you go in and bring a charge against him of perjury. As a matter of fact, I have seen so often where a magistrate on a case of perjury being brought against a person sending the case on to Sessions because he feels that the man could get off before a Grand Jury. Of course, you do not have a Grand Jury at Assizes now.

Sir, we are willing to agree over here. What I fear is this, while you can limit the period to seven years you cannot limit the amount of the fine.
6.00 p.m.

There are certain changes which we anticipate taking place in the West Indies today. I have been in public life for some years; I have seen some spiteful, wicked, malicious, lying characters already and if they had the ability to appoint magistrates, some of us would be locked up for years. They would stop at nothing because you had the guts to oppose them. The Government has the ability to pass this Section as it is, but I think that we should put a limit to the fine. I cannot pass this Section like this today.

Mr. WALCOTT: Mr. Chairman, I am wondering if the legal aspect of our lives is being made modern. The judges are living in the world with us and laws are changed in order to suit the circumstances. The Premier is bringing down or has brought down a change of a law today. The Government saw the need for this change. We are not determining what perjury is but we are dealing with it in a different way. Why are we dealing with it in a different way? It is because that in this year 1963 you have seen the necessity for treating perjury in a way different from the way in which the law dealt with this offence years ago. The common law practice is that you do not tell a judge how much to fine a person in an indictable case; however, this is a particular case which you are making an indictable one. What is wrong in saying what the amount of fine should be? There are some of these things in respect of which if a case is brought and the person is found guilty, I am suggesting that the court would not go wrong. For instance, a woman makes a false statement about the birth of her child; she said that she had no child but in truth and in fact she did have a child. We know that a magistrate or a judge would not send that woman to prison for seven years. It is a question of looking at these things in a way in which you can use your reason. We, who are politicians and are passing laws, must think of the people for whom we are passing these laws and if you are not taking into consideration all their idiosyncrasies then you are not dealing with the situation properly.

In this case, I do not see that you cannot put a limit to the fine and, as far as I am concerned, I have discharged my conscience. I will not hold on or be wedded to anything which has been passed for any number of years ago because if I see that a change is needed I will vote for a change. The law will have to be changed to suit the place in which we are living. People in Barbados use bad language as a means of emphasis. Every time that a man tells you a common place vulgarism do you tell him that you will hang him for that? What are you going to do with people who use the ordinary "pips"? People tell you the sort of cricket that was played last night. A man will use an expression to tell you how England played last night against Australia and do you mean to say that a policeman must arrest him and take him to the courts for that? We have the lawyer and the politician and the two people cannot work. As a lawyer you see yourself in the courts interpreting the law, but as a politician you see ordinary people being dragged before the courts and we want to do something in order to protect them.

The question that the words proposed to be inserted stand part of the Bill was put and resolved in the negative, the Committee dividing as follows:

AYES: Messrs. WALCOTT, HOLDER, SMITH, MILLER, LYNCH, CODDARD and MOTTLEY — 7.

NOES: Hon'bles E. W. BARROW, W. A. CRAWFORD, C. E. TALMA, G. G. FERGUSON, A. DaC. EDWARDS, Messrs. CORBIN, WEEKES, LOWE and YEARWOOD — 9.

Mr. CHAIRMAN: The question has been decided in the negative, seven hon. members voting "Ayes" and nine hon. members voting "No". I declare that the "Noes" have it. The question now is that Clause 3 stand part of the Bill. Hon. members in favour of that will please say "Aye", those against will please say "No". I think that the "Ayes" have it.

Clauses 4 and 5 were called and passed.

6.10 p.m.

Clause 6 was called and passed.

Clause 7 was called.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 7 stand part.

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

Mr. LYNCH: Mr. Chairman, in Clause 7 I would like to propose an amendment here for the following reasons. Clause 7 reads as follows:—

7. If any person knowingly and wilfully makes (otherwise than an oath) a statement false in a material particular, and the statement is made —

- (a) in a statutory declaration; or
- (b) in an abstract, account, balance sheet, book, certificate, declaration, entry, estimate, inventory, notice, report, return or other document which he is authorised or required to make, attest, or verify, by any Act for the time being in force in the Island; or
- (c) in any oral declaration or oral answer which he is required to make by, under, or in pursuance of any Act for the time being in force in the Island,

he shall be guilty of a misdemeanour and shall be liable on conviction thereof on indictment, to imprisonment, with or without hard labour, for a term not exceeding two years or to a fine or to both such imprisonment and fine.

I am thinking of a case, Sir, where a nation might be at war, and as you know, Sir, from time immemorial, people who had not reached the statutory age to go to war had made false declarations and had eventually been honoured by the nation for going to fight by saying that they were 18 years when perhaps they were only 16 or 17 years. By this provision they would in this Island be liable to two years in prison. I am suggesting some such phrase as "if any person knowingly and wilfully for his own material benefit", which would then make a difference between people who went and told vicious lies for the purpose of monetary gain, and other people who might be imbued with patriotic fire going to fight in one of Her Majesty's services. It is true the person could be lying as to his age, but it has always been done and I daresay it will always be done, because youngsters as you know, Sir, are adventurous and many of them desire to join fighting forces in times of war at an age when they had not yet reached statutory provision.

I am therefore moving that the words "for his or her material benefit" be inserted after the word "wilfully".

Mr. MILLER: Mr. Chairman, I should like to point out to the Premier that in modern legislation the term "hard labour" is never used, and the whole idea aback of it although you are punishing the person for the offence, is that the very moment he is sent to prison, reform begins. The Minister of Social Services can read that in the files of the last Government. You can send a man to prison and although it is set out in the law, he may be totally unfit to do hard labour. In modern legislation, you send a man to prison and the Superintendent decides whether or not he should be sent to the quarries or put in the labour force or what have you, but you never state "with hard labour". I am wondering whether the Government would be willing to omit those words. Those words have been removed from legislation all over the world, because the man may be ill and may only be able to support his weight on his legs. I am unhappy as to why these words should be in this legislation since they have been removed from all the old Acts.

Mr. WALCOTT: Mr. Chairman, with regard to the point which the hon. junior member for Bridgetown raised in Clause 7, I am glad that the Minister of Social Services has come back in, because earlier I raised this same point. This applies to passports, and as I said earlier today, there are instances now where the law does not apply and people go and get passports. People make up their own bogus arrangements and laws here and make it difficult for people to get passports, and he knows of a case that is currently being dealt with. That is a serious matter, we know, but you get cases where somebody wants a passport and will go and say he is older than he is. Some people say they are 21 when they have not reached their 21st birthday, but they have passed their 20th birthday. They say they are 21 in order to get these things done for which they would be regarded as minors. You do not want to have such persons being hauled before the Court. One of the problems about this as an indictable case when people go to Sessions is that it is always felt that the Magistrate's Court is one thing, but as soon as you go to Sessions, you hear "she has been turned down for Sessions"; so she is buried now, and you do not want this. Whilst it gives certain freedom, it creates certain blots on people, and I would like to say that the hon. junior member for Bridgetown went to the extreme.

I am a funny man, Mr. Chairman. Maybe I am not patriotic, but if a man wants to leave here and go to Germany to shoot somebody and he feels he should tell a lie, I would send him along fast enough; I would not stop him. I am not that warlike person to take up arms and put on my shoulder to go even behind Pelican Island when it was there, and if I had a son who was ever so foolish that he could not find something better than wanting to shoot somebody, that would be his business, and if I could stop feeding him, I would do so and let the people for whom he is fighting feed him forever. The hon. member has brought this extreme case of people who want to serve King and country and of people telling a lie to get to America to work. People went during the last war and told lies in order to get to the United States, but today they have houses by telling a lie, not that they went and stole something. They lied in other people's names and went to America and came back. Do you know the number of people who left this Island during the war years to get a job in the United States by using wrong names? If you had to send the people who told lies to gaol, it would be fuller than the United States. Do you know the number of lies people tell every day to get a job? Even sometimes people go and borrow a piece of change and use the lie that they are coming back at the end of the month, but the end of the month never comes.

These are some of the things we see happening, Mr. Chairman, and we hope that our fears can be allayed. These things should never take place, but they are daily occurrences and now you are changing the law, we ask you to give these consideration. I do come across them, and as I said, I have a case before me in which somebody is meeting difficulty in getting a passport in the truthful normal manner. Somebody hears of this problem when you go to get a passport and you tell the truth; so he tells a lie in order to escape some of these things. I do not know what would happen to some of us if we were punished for every lie we told. We would have died a thousand times.

Mr. MOTTLEY: Mr. Chairman, what I am worried about myself is a case which we have had, and when I draw this to the attention of the Government, they would see how difficult this can be. I think the Hon. Minister of Agriculture can testify to this.
6.20 p.m.

On the floor of this House, when I was much younger and stronger, when the first dozen girls had to go to England, I took the task of speaking very strongly because a girl from Silver Sands swore to an affidavit that she was older than what she was and the Social Welfare Officer at that time instructed the police to prosecute her. Her father had to sell his jackass and cart and some of everything else in order to get her off. Hundreds of people in this country, weekly and monthly, do that sort of thing. Young girls swear that they are older than what they are in order to get out of this country to make a living. As the hon. senior member for St. Peter has said, people want passports for everything. They want to get to England. In this particular case which I mentioned, when the Resolution came before this House — and I have never forgotten the cruelty of it — the innuendo of it was that they came for \$6,000 for the purpose of bringing these girls back from England and the now Honourable Minister of Trade brought to the notice of this House that there were so many vacancies in England at that moment that it was not necessary to bring them back. A girl who had gone to St. Michael's Girls' School was prosecuted by a Government official just for swearing to an affidavit that she was a year older than she was. You must not speak ill of the dead but, what did the then presiding judge express in that matter? The girl rather than remain in Barbados without anything to do, with just a poor, humble, peasant father to look to for support just wanted to go out to England to work to support herself. She made a false declaration as to her age. I am sure everyone of us in here would turn our faces on that.

Sir, I have much pleasure in seconding the motion by the hon. junior member for St. Peter. What happened in that particular case? The then judge exercised his discretion and treated it as a misdemeanour but the outcome of it all was that the father had lost money because he had to pay a lawyer and he had to sacrifice everything in order to get his daughter off. That is why I feel in this matter you should be more considerate.

Let us face facts. In this modern world, as conditions are in Barbados, everyday, every Minister is faced with the problem of people asking him about getting out of the country. I can understand somebody making a false statement before a Commission of Enquiry and your charging them but I cannot quite understand your charging somebody for saying "I am nineteen years of age" when they know they are only eighteen. You are seventeen years of age. You want to serve in Her Majesty's services as a soldier. You cannot be enlisted before you are eighteen years. You know that. Because you feel big for your age and you want to serve you say, you are eighteen. You can be prosecuted for that.

Mr. CORBIN: Mr. Chairman, I would like hon. members to realise that if a man tells a lie whether it is a lie to make him a king, whether it is a lie to help him out of the country, that any kind of lies is dangerous, and if we do not train a child from its youth that it should never tell lies, when it grows to manhood or womanhood it will continue to tell lies.

We should preach to the people that a lie is dangerous whether it is big or small. Whether it is big, it is a lie; whether it is little, it is a lie. A lie is a lie and I agree to any law which is made to punish a person for telling a lie whether it is little or big or whether the person charged happens to be my child or your child.

We should teach the people not to tell lies, and we should not encourage others in any way to tell lies. I want all politicians from henceforth to preach the truth to people and by so doing we will gain control of the people in a better manner.

This is not vain politics. There is no smoothing out of a lie. A lie is a lie whether you tell it in high places or in low

places, whether you speak it in public or in a corner. I am against any lie and I will pass sentence on anyone for telling a lie because a lie can cause people to lose their lives and it can cause them to make sacrifices. It can even cause them to go to hell. I am warning all politicians to speak the truth and preach the truth and ask the people to speak the truth.

Mr. MOTTLEY: Mr. Chairman, I just got up to say that I wonder if the hon. senior member for St. Andrew would agree to an amendment to let us exempt politicians from this Bill. I know the hon. member talked already about a donkey speaking to him. The hon. member got up on a platform and said that he took a donkey and cart and put it on his lorry one time and the donkey was so grateful that it began to talk and said "Homie, I thank you". When the hon. member said that, the donkey showed gratitude by talking to him, would he be lying?

Mr. CORBIN: Mr. Chairman, I rise on a point of order. I have learnt that an ass can speak words just as plain as you or me and the ass did speak to me.

Mr. MOTTLEY: Therefore, the hon. member would agree with me. I do not want to take the hon. member's mind back to a Biblical quotation. Anyway, what I do say and I am a realist, I do not believe in telling people that any lie is a lie. Therefore, if you had to tell a lie to save your mother from jail, you are telling me that you would not do so. Whom do you think would believe you?

Mr. CHAIRMAN: The hon. member must address the Chair, not the hon. senior member for St. Andrew.

Mr. MOTTLEY: The hon. members wants hon. members to understand that they must not tell a lie at all. There are some times when there is something which is called a "white lie".
6.30 p.m.

I am a realist and I face facts in Barbados as I see them. People make misstatements in trying to get away by raising their ages. When the hon. member talks about material gain he is just putting it mildly, and I do not see that there is anything wrong in making that insertion which he has proposed. I watch people every day and I say to myself; "That is the reason why young men go to war". People at the age of 17 or 18 years come to you and ask you for a food ticket and if you had a war breaking out, those are the kind of people who would go to war. They really do not go to war for the purpose of serving any king or country; some of them go to war because they want something to do. What percentage of people looking like me would go to serve their King and country? I say that they go out on adventure.

Mr. LYNCH: Mr. Chairman, I am surprised that hon. members of this House should be so naive as to think that a lie is a lie. I should crave the indulgence of the House in order to show where lies have to be told. If, for instance, in the month of June some businessman had asked about rumours about the tax going up on rum, what reply would the Hon. Premier give?

Hon. E. W. BARROW: On a point of order. I would say that it is none of his damned business.

Mr. LYNCH: That would still be a sort of negative statement. There are times when lies have to be told. Let us say that there is an accident, that a woman and her child were travelling by bus, the child is killed and the woman is very seriously injured. The woman recovers consciousness on the next day and she asks about her child. When she asks the doctor if the child is alive and the doctor were to say that the child has been killed would it not be that the shock would be too great for the woman? Let us assume that you are standing and a woman runs past you in full flight; a man comes up with a cutlass and asks you where did the woman go? Are you going to tell the man where the woman went or would you send him in the wrong direction? Therefore I say that a lie is not a lie.

Mr. Chairman, I am not asking anybody to condone any wrongdoing; all I am saying is that the words: "For his or

her material benefit", should be inserted after the words "and wilfully" occurring in the first line of this Clause. When a person is impelled to lie for reasons other than his own material gain, I am saying that the punishment should not be as great as when the person wilfully tells a lie in order to do injury to somebody else. That is the provision for which I am asking.

Mr. MILLER: Mr. Chairman, I do not know if we are using avoirdupois measurements. What did the psalmist David mean when he said that all men are liars? We are dealing with perjury and therefore let us be very careful about this matter. I am asking what did the Psalmist mean when he said that all men are liars?

Mr. CORBIN: On a point of order. The Psalmist David said that all men are liars but he never told anyone to tell lies.

Mr. MOTTLEY: We are not telling anybody to tell lies. If I told you that you are a liar I would have to give a reason for that.

Mr. MILLER: The hon. member has not given sufficient thought to this matter.

Mr. CHAIRMAN: I should like to inform the hon. member that there is a motion before the Committee right now.

Mr. MILLER: Mr. Chairman, we are now in Committee and it is your job to sit and listen to the debate even if it goes on all day and all night. The hon. member is disturbing this Committee about lies and perjury (ASIDES). At no time did we say that the school meals service would be free and there is a lot of censure about that. We accept the statement that all men are liars.

The question that the words proposed to be inserted stand part of the Bill was put and resolved in the negative, the Committee dividing as follows:—

NOES: Messrs. HOLDER, SMITH, MILLER, LYNCH and MOTTLEY — 5.

NOES: Hon'bles E. W. BARROW, W. A. CRAWFORD, C. E. TALMA, G. G. FERGUSON, A. DaC. EDWARDS, Messrs. CORBIN, WEEKES and YEARWOOD — 8.

Mr. CHAIRMAN: The question has been decided in the negative, five hon. members voting "Aye", and eight hon. members voting "No", I now declare that the "Noes" have it. The question now is that Clause 7 stand part of the Bill. Hon. members in favour of that will please say "Aye", those against will please say "No". I think the "Ayes" have it.
6.40 p.m.

Clauses 8 to 17 inclusive were called and passed.

The Schedule was called and passed.

On the motion of Hon. W. A. CRAWFORD seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the passing of the Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. W. A. CRAWFORD, seconded in each case by Hon. C. E. TALMA, the Bill was read a third time and passed.

LEAVE TO SUSPEND STANDING ORDER No. 5

Hon. W. A. CRAWFORD: Mr. Speaker, the next Order of the Day is Order No. 2, but before we go on to that, the Government does not propose to do anything more today than Orders Nos. 2 and 4, and I think we might advantageously go on for half an hour to get through these two things.

I am therefore going to ask for leave to suspend Standing Order No. 5 in order that the Session might not be suspended at 7 o'clock.

Mr. MOTTLEY: Mr. Speaker, neither of the members of my Party has received a copy of Order No. 2, and I was amazed when we talked about it last night that none of us had it. I can say also that the other members of the Opposition say they have not got it either. It is none of our fault. We do not want to hold up the work of the House, but if we have not got it, we have not got it.

Mr. SMITH: Mr. Speaker, although I cannot see too well it is only today that I asked the Clerk whether the Bill was circulated and he said "yes", and the Marshal had to go and get one for me. I did not receive a copy either.

Hon. W. A. CRAWFORD: Mr. Speaker, if Your Honour does not mind, we might resolve the question first.

Mr. SPEAKER: The Hon. Leader of the House has asked for leave to move the Suspension of Standing Order No. 5 for this day's meeting, and that is entirely without prejudice to what may take place after the Standing Order has been suspended. If there is no objection, leave will be granted.

There is apparently no objection, and leave is granted.

The Hon. Leader of the House may now move the suspension, leave having been granted.

SUSPENSION OF STANDING ORDER No. 5

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Standing Order No. 5 be now suspended.

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

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

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Order No. 2 be the next Order of the Day. This Bill was given notice of on December 4th.

Mr. SPEAKER: That automatically follows.

Hon. W. A. CRAWFORD: We presume it was circulated a few days after that.

Hon. E. W. BARROW: Mr. Speaker, I would just like to say that I cannot accept that this Bill was not circulated. If hon. members did not receive theirs, that is a different matter; but it is their business when they get the Order Paper to procure copies. I took the precaution due to the urgent nature of this Bill to introduce it on 4th December and not on the last day of the Adjournment, and at least six weeks have elapsed and other people received this Bill long before Christmas. It is rather strange that some people should receive their Bills. Usually there is a difference of a day or two between hon. members receiving their papers, but there should not be a difference of six weeks between Officers of the House and other members getting theirs. Other members have this in their possession and you get members of the House now saying they have not received this Bill.
6.50 p.m.

An important measure like this cannot be held up. When the Government gave notice of this Bill, I warned hon. members then that we were introducing it at that time so as to give them sufficient time to study the Bill because it was important. We did not send copies of it to them by registered post, so we cannot prove that they actually received it when we received ours.

Mr. MOTTLEY: Mr. Speaker, I hope that the Hon. Premier is not trying to suggest that we are trying to shirk our responsibility. I got up and drew to Your Honour's attention that we have not received this Bill.

Mr. SPEAKER: Are you speaking on a point of order?

Mr. MOTTLEY: Yes. The hon. junior member for Christ Church said that he noticed it is Order No. 2 on the

Order Paper. If I said that I have not received my copy and I turn to him and asked him if he received his and he said "no", then I asked the hon. senior member for St. Michael, and he said "no", and the members of the other part of the Opposition also said that they did not receive it, what are you trying to infer? I do my homework. Would I come in and say that I have not received a copy of this Bill when I had received one? There should be no inference that somebody would come in here and say that they did not receive it when they received it.

This is the third time I have had to make this complaint. I object most strongly to anybody inferring that I received a copy of something when I said that I have not received it. I have had before to phone Mr. Gittens, the Government Printer, over a matter like this and he actually went out of his way when he found out that the Bill had not gone out by getting into his car and carrying it to some members.

I am not saying that it is a fault of somebody in here. I am told at one time that the Clerk sends them out and I am told at another time that the Head of the Government Printery sends them out. It must be somebody's fault. Mr. Speaker, let the Clerk tell you what is the true position. Sometimes the Clerk tells you that these things are sent out by the Government Printery. I am not saying that anybody did it wilfully by not sending copies of this Bill out but it just can happen over the Christmas season.

(Mr. WALCOTT: *(sotto voce)* What has happened?)

Mr. MOTTLEY: We are talking about members receiving this Bill.

Mr. SPEAKER: I would say this: I received my copy during last week.

Mr. MILLER: Sir, now you are on that point, I can say this. I have got the folder which contained the copy of that Bill. It was posted on the 11th January this year because the folder is dated 11th January and that is the date when I got mine.

Mr. SPEAKER: Standing Order No. 39 is as regards the Printing and Circulation of Bills. It reads as follows:-

"1. The Clerk shall be responsible for the printing of Bills from the draft handed to him by the member in charge of the Bill; and before any Bill is printed, he shall satisfy himself that -

(a) the Bill is divided into clauses numbered consecutively;"

It then says at (2):

"As soon as possible after the printing of a Bill, the Clerk shall circulate a copy to every Member, accompanied by a short explanatory statement, if such a statement is provided by the Member in charge of the Bill."

And at (3):

"The Clerk shall as soon as possible cause every Bill to be printed in the *Official Gazette*."

Hon. E. W. BARROW: Mr. Speaker, I must apologise for hon. members not receiving copies of this Bill before but as Minister of Finance, I am not at all satisfied that we are getting proper returns from various officers of this House. There are several officers whose jobs are sinecures. I would not like to say that the job of the Clerk of the House is a sinecure but the business of the Government is being held up time and time again by the failure of certain people to perform their duties.

I know exactly what takes place on the printing of a Bill and sending it out to hon. members. The Clerk of the House allows the Government Printer to take over the dispatching of Bills to hon. members but even if he allows that, he should have a postal book to show when the Bills and Order Papers are put in the post by the Government Printer.

On a matter of this kind, if we cannot get proper service from our employees of this House, we would either have to cut them out of the Estimates or get other people to do the job. I am having a job of evaluation carried out because you cannot come in this building during the normal working hours and find the people who should be here. This is not a satisfactory state of affairs.

There are big investment houses overseas and various recent industries which have been waiting for some time on this Bill and the Income Tax (Amendment) Bill which I understand was only delivered to members today.

I was very particular in having this measure introduced, not at the last meeting of the House, but on the 4th December, last, so that hon. members would have had sufficient time to peruse it before I introduced it today. I am not feeling pleased over these things and I hope our feelings would be passed on by Your Honour to other people.

Mr. SPEAKER: What I have heard more than one hon. member say is that when the House adjourns for a longer period than a week that the papers should be sent out and put in the hands of hon. members just as if the House was adjourned to meet the next week. I do not know if hon. members misplaced their papers during the five week or so Christmas adjournment but if that is the case, it is their fault. I have had trouble during the last Christmas season over this same matter and there seems to be the same difficulty this time.
7.00 p.m.

ORDER POSTPONED

Hon. W. A. CRAWFORD: Mr. Speaker, in view of what has transpired we will have to pass on from Order No. 2, but I should like to add my condemnation to the remarks which have been made by the Hon. Premier with respect to the unsatisfactory manner in which the business of this House is being conducted. Notice is given of this Bill was given on the 4th December last year; we came in here to deal with this Bill today and we had given notice of it over a month ago. There is no excuse whatever for the staff of the House in not carrying out their duties all this time. I beg to move that Order No. 4 be taken as the next Order of the day.

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

The question that Order No. 4 be taken as the next Order of the Day was put and resolved in the affirmative without division.

PUBLIC HEALTH (REPEAL) BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Social Services:- To move the third reading of a Bill to repeal the Public Health Act, 1908, and the Public Health (Amendment) Act, 1945 (Act 1945-29). This Bill was referred to a Select Committee on the 28th August, last year and the Report of the Select Committee was laid on 11th December, last year.

Hon. A. DaC. EDWARDS: Mr. Speaker, I would first like to move that the Report of the Select Committee appointed to consider and report on this Bill be adopted by this House.

Hon. G. G. FERGUSON: I beg to second that.

The question that the Report of the Select Committee be adopted was put and resolved in the affirmative without division.

Hon. A. DaC. EDWARDS: Mr. Speaker, I now beg to move that this Bill be now read a third time.

Hon. G. G. FERGUSON: I beg to second that.

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

On a similar motion, the Bill was passed.

ORDER POSTPONED

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Trade, Industry, Labour and Tourism:- To move the passing of a Resolution to sanction an Agreement made on the 19th October, 1962, between the Governor-in-Executive Committee and the Barbados Union Oil Company Limited.

Hon. W. A. CRAWFORD: Mr. Speaker, the consideration of the Public Health Bill concludes the consideration of Government Business for today.

THE ORDER PAPER

Hon. W. A. CRAWFORD: Mr. Speaker, in fixing the Order Paper for the next meeting, I should like hon. members of the Opposition to agree to the resumption on Tuesday next, of the debate on the Resolution relative to the Report of the East Caribbean Federation Conference 1962, which is Order No. 3 on today's Order Paper. We want to start next Tuesday's sitting at 12 o'clock noon. The money Resolution will come first and the other matters will follow *seriatim*, including, of course, the present Order No. 2 on the current Order Paper.

Mr. SPEAKER: Under the Head "Private Members' Business" does any hon. member want any item under that Head moved up?

Mr. WALCOTT: Mr. Speaker, before I ask that these matters be moved up on the Order Paper, I think it would be appropriate for me to state now that there should be some method of making provision for refreshments for the members of the staff of this House. I heard the Hon. Premier making a criticism about things being done in this House and in defence of the Staff of the House I do not think that the Premier and the Government are paying appropriate attention to the Members of this Staff. It is a positive disgrace that members of this Assembly expect to bring human beings in here and ask them to work for a stretch of five and a half hours without their being given the opportunity to get food. Mr. Speaker, it is criminal, unjust and unfair and I would urge them to go on strike in protest.

Mr. SPEAKER: I would ask the hon. member to withdraw the word "criminal".
7.10 p.m.

Mr. WALCOTT: It is criminal to keep a man hungry and not let him get something in the normal way, and it is unfair to expect us to sit down continually and hold the three of them down from half past two until 7 o'clock without having an opportunity to eat food.

Hon. E. W. BARROW: On a point of order, Mr. Speaker, I definitely deplore and deprecate the hon. member making statements of this kind. The Standing Orders of the House which were passed by all of us, including the hon. senior member for St. Peter during the tenure of office of the last House, sets the period from 2 o'clock until 7 o'clock and also makes provision.....

Mr. WALCOTT: They used to be provided with tea.

Hon. E. W. BARROW: There was no adjournment for tea, but if the hon. member would let me finish making the statement, I am not bringing in any measure in the financial year to provide any form of food for any member of this House or any member of the Staff. I will tell you that in advance. In the Standing Orders of the House right now there is provision that the Session is to last from 2.30 p.m. until 7 o'clock, and the Speaker without any formal motion has discretion to let the Premier carry over until ten minutes after 7 o'clock which is the time now. What is all this talk about inhumanity and criminality? The people I am referring to work one day a week. The Civil Service is agitating for a 40-hour week though they now work 35 hours.

Mr. WALCOTT: That could not be a point of order. He is replying to what I have said and I have not finished.

Hon. E. W. BARROW: The hon. member made a strong statement about it being criminal on the part of the Government and I must let the public know the facts.

Mr. WALCOTT: You can reply, but you cannot have that as a point of order. It is nothing I have said that you say is incorrect. I will explain what I have to say.

Mr. SPEAKER: As I understand it, the hon. member rose on a point of order to point out what the Standing Orders were. Every member is presumed to know the law.

Hon. E. W. BARROW: The hon. member said we keep people working here from 2.30 p.m. until 7 o'clock sometimes which is five and a half hours, but I am saying, Sir, that the Standing Orders provide for that and we are not providing any food for them. What do they do the other five days of the week?

Mr. WALCOTT: That is not a point of order. We are not asking anybody to provide food. If you were dealing with someone other than these, you would not be able to change conditions of employment that prevailed before and not make provision for the changed circumstances. When we had the spreadover from 2.30 p.m. until 7 o'clock, it was done because at that time lunch and tea were provided, but you have come along and changed that because they are afraid of you and the Government and they do not know how to stand up for their own rights. They only grumble outside and do not know what to do. You should not have any House of Assembly sitting down when you do not have anything on the premises for people to use and treat them in the same way as though you had it. Only a person without any conscience would think about doing that and try to defend the indefensible by telling me that I sat down and agreed. I was against providing food, too, but I am not one of those whom you can come back and say I made a statement to the contrary. I work and provide my own food. I am not pleading for food for the members of the Staff, but what I am saying is that if we want proper service from the people we employ, we have to give them proper conditions, and it is no proper condition in which you are going to expect any person as a stenographer to sit down from 2.30 p.m. until 7 o'clock and you say you are not going to provide any food, and they have no break in which to get some. What do you expect from them. Are they machines? If they cannot defend themselves, I am going to defend them, and I am going to defend them on the grounds that we agreed to change the system in here, and if we meet at 2 o'clock and you are not providing anything for them, you must have adjournments at certain points for fifteen minutes or twenty minutes at least so that they can get a break. Do not think of members of the Chamber, because we can slip out as we like, but they cannot leave here as they like.

Mr. Speaker, I want to say that it is unfair to them and now the hon. member wants to tell the public that they work for one day. How can he say to the public that they work one day? We come here one day, but they have to transcribe during the week. I do not like this trampling of people and talking as though somebody is asking about food. Who could treat you that way? When you were in the Army did they put you to work without breaks?

Mr. SPEAKER: I have never been in the Army.

Mr. WALCOTT: I do not like this nonsense. All this trampling of people must stop. Who else could you do it to. If you had to deal with me in the Union, do you think you could do that? What do you think it is? Every time somebody speaks out on something, you come out with these outrageous statements as if somebody was standing at your door begging for something. They are people who have to work and you have to treat them as proper people. I can defend myself and I would never come to the position where you would have to keep me waiting for my meals. These men are too supine and docile, and that is what they get for their docility. That kind of thing does not work in a modern community; that is the kind of thing you get with

backwoods people, because they are soft. I am saying that, Mr. Speaker, because of the harsh criticism that has been made against them in the first instance. If you want your pound of flesh, you must be prepared to give it, but do not be harsh on them in one breath and not in the other be willing to offer the facilities they should get.

Mr. Speaker, I would give the Premier a little cheap advice. It would be a good thing if the Premier gets to understand that he is living in 1963 in an age when we are dealing with people in this present Century, and as I said already, he could as well adapt his mind to present-day circumstances. You will never ever get the people of this country or anywhere to go back. You can be ten Premiers and 49 Ministers, nobody is going to respect you on the basis of harshness; kindness is the thing you have to deal with. You have to be kind and kindness has to flow from your heart; do not think that harshness is going to be the order of the day. The day for the whip and harshness are over, and we will break up the whips if you try to be harsh with them. The hon. member, Mr. Speaker, flew off about food, but I am not asking the Government to provide people with any meals, but what I thought would have been an ordinary humane thing of agreeing to a break so that the Staff can get what they want. I think it is proper that they should have the facility of getting tea without breaking any of the rules and not doing the work, and I consider that we should have a break. The reason why I say that, Mr. Speaker, is because the Leader of the House said he proposes to meet at 12 o'clock next Tuesday. Well, if he proposes to meet at 12 o'clock next Tuesday with the debates that are going on, what I would suggest to the Leader of the House is that he should make certain arrangements in the House to have certain breaks at certain times. You are going to sit from 12 o'clock until 2 o'clock and there will be a break until 2.30 o'clock p.m., but after 2.30 p.m. you will see that there is going to be no break, and I do not see that there is anything wrong in having a break between the time when we go back to Government Business for 10 minutes or 15 minutes so that the Staff can get a little bit of refreshment, because if you are meeting at 12 o'clock, it pre-supposes that you will go on until 7 o'clock. You have to think in these terms.

Mr. SPEAKER: Is the hon. senior member for St. Peter now addressing the Chair?
7.20 p.m.

Mr. WALCOTT: I am asking that the Resolution which I gave notice of today be placed on Item No. 2 under Private Members' Business.

The hon. senior member for the City has asked me to give way for a moment and I am giving way to him.

Mr. MOTTLEY: Mr. Speaker, I am asking that Item No. 2 be made Item No. 1.

Mr. WALCOTT: Mr. Speaker, what I would now ask is that the Resolution which I gave notice of today with respect to the Hon. Premier's statement on the European Common Market be made Item No. 2 and that Item No. 21 standing in my name be Item No. 3 of Private Members' Business.

Mr. SPEAKER: The Resolution which was given notice of today has not been printed.

Mr. WALCOTT: I know that but I am asking that it be made Item No. 2, and Item No. 21 be made Item No. 3.

Mr. SPEAKER: I have been asked by the hon. and learned senior member for St. James to request that Item No. 17 be advanced as high on the Order Paper as possible. Perhaps, that can come next.

Mr. MOTTLEY: Mr. Speaker, before you put the question, the Hon. Leader of the House has given an indication of what he going to deal with at the next meeting. From what the Hon. Premier has said, I would like Your Honour to see to it that the papers which we have not received are sent to us. There is no point arguing that they were sent by some Department.

Mr. SPEAKER: I will investigate that matter personally.

Mr. MOTTLEY: It is not a matter of investigation. As far as I am concerned, I am saying that we have not received any. The Printery is sending out these things now and I am saying that they have not been sent out. I would like to come in and do my work.

Mr. SMITH: Mr. Speaker, I am asking leave that the Resolution which I gave notice of today be made Item No. 4.

Mr. SPEAKER: That would have to be Item No. 6.

Mr. SMITH: All right, Sir.

Hon. W. A. CRAWFORD: Mr. Speaker, before we adjourn, I should like to correct any misapprehensions which the remarks of the hon. senior member for St. Peter may have given rise to. The remarks made by the Hon. Premier and myself with regard to the work done by the staff of this Chamber have absolutely nothing to do with the pool of reporters or stenographers. They have nothing to do with seeing that members of the House get their documents at the appropriate time or that the documents are delivered to the respective people when they should be.

We were making a criticism against the administrative staff of the House of Assembly so it is completely unfair and unjustified for the hon. senior member for St. Peter to say, as he did, that it is criminality to keep people working as long as we keep them and to expect them to give of their best.

To begin with, these documents are not sent out on Tuesdays. The administrative staff comes on Tuesdays and then it is their business after Tuesday to come and see that the clerical work is administered properly. In other words, I am not speaking of the reporters or the stenotypists who type their notes.

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. I do not want to prolong this debate but I make absolutely no apology for saying what I have said. The Hon. Premier said that he has been to this House often and he has not seen the people who should be at work in this building.

Hon. E. W. BARROW: I did not mention which.

Mr. WALCOTT: You did not mention names but you said you saw nobody.

Hon. E. W. BARROW: I did not say that I expected to see the reporters or the stenotypists because after finishing their jobs, according to the terms of their job description, those terms do not require their coming here. The hon. member knows exactly whom I mean too. Do you want me to call names?

Mr. WALCOTT: They, too, are members of this staff, therefore, I said what I did whether the Hon. Premier meant them or not. I made that criticism and I make the criticism in defence of these things because I feel that something should be done about the arrangements for the staff. I want to see instead of making these criticisms that we get down to the job of making arrangements for the staff.

Hon. W. A. CRAWFORD: Sir, what I am saying is that the remarks by the hon. senior member for St. Peter were completely out of the context. We were talking of the work done in here, not the work on Tuesdays but the work which should be done on the other days. Whenever we came to the conclusion that we would have to go on until after 7.00 o'clock, it has been the practice to have dinner brought in from outside and I have known from my experience of occasions on which dinner has been provided for the staff at the expense of the Hon. Premier himself.

Mr. WALCOTT: We do not want the Hon. Premier to go in his pocket to do that.

Hon. W. A. CRAWFORD: Nobody wants this debate to degenerate into a question of providing lunch. We must have the records straight. I repeat, the remarks of the hon. member were most imprudent and would serve to make it difficult to discipline the members of the staff on whom the condemnation which we made must really fall.

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. The hon. member should be the last to say that. I have spoken in this House already on the question of not receiving my papers. I am different from members of the Government. If I have to come in here and say the Clerk or the Deputy Clerk should do so and so and should see to such and such a matter, I am going to say so because I did not come in here because the Clerk or the Deputy Clerk wanted me to come in.

I am protesting about the statement which the Hon. Premier made, although what they should do is to carry out an investigation or ask the Speaker to carry out an investigation. What I am saying in addition to these things is that I see a wrong has been done. It is all right for hon. members because they can come in here and go out whenever they want to. The Reporters are afraid to say what are in their minds and I can say that they have been grumbling and they are not satisfied about the treatment which they are getting now. I would be the last man to encourage people not to do their work. I have been speaking about these things in the House of Assembly when other members have been lukewarm because they had not been affected. They have been affected today.
7.30 p.m.

We have complained against the last Government about papers not being laid and some time we have complained of other things and it has fallen on deaf ears. I am not in any way attempting to defend the servants of this House for not doing their work; far from that, I say if a man is not capable of doing his work then he should resign.

Hon. W. A. CRAWFORD: Mr. Speaker, the remarks of the hon. senior member for St. Peter in that context is entirely out of order. If he wants to bring to the attention of the House any grievance which he thinks the Reporters might have, he can do so; but he should not inject that into a criticism of justifiable remarks made by the Government against the manner in which the clerical work of this House is being done.

Mr. MOTTLEY: As a matter of fact, before we adjourn.....

Mr. SPEAKER: The Hon. Leader of the House has already replied.

Mr. MOTTLEY: May I speak, with your permission, Sir?

Mr. SPEAKER: I am a slave to the Standing Order of this House. Is the hon. member making a point of order?

Mr. MOTTLEY: This is a genuine point of order. I would just like to clear the air at this moment. I must face facts and I look straight at the Clerk of this House and tell you that he is a sick man and we should let him go on leave. When I did not see my papers I telephoned the House and I was sorry for that man. I am not talking about the Reporters or anything like that. The Deputy Clerk is a part-time man, whereas the Clerk is a whole-time man. I say that at no time do I find I can get any answer I am saying that any man in the physical condition of the Clerk of this House should go on six months' holiday or he is a dying man. That is why all of this work is being piled up at the Government Printery. I say that Mr. Cumberbatch, the Clerk of this House, is a very sick man and he cannot do the work.

Mr. SPEAKER: I am suggesting to hon. members that they do not prolong this discussion and particularly give free medical opinions. Did I understand the Hon. Leader of the House to move that this House do now adjourn until this day week at 12 o'clock noon? *(After a pause).*

Hon. W. A. CRAWFORD: Mr. Speaker, I think I made that motion. However, I beg to move that this House do now adjourn until Tuesday next 22nd January, 1963 at 12 o'clock noon.

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

The question that this House do now adjourn until Tuesday next, 22nd January, 1963, at 12 o'clock noon was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.

7.37 p.m.