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THE

# House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION OF 1966 - 71

## HOUSE OF ASSEMBLY

Tuesday, 20th June, 1967.

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., F.Z.S., (*Speaker*); Mr. L. E. SMITH, J.P.; Mr. E. D. MOTTLEY, C.B.E., J.P.; Mr. K. N. R. HUSBANDS; Mr. E. ST.A. HOLDER, J.P.; Hon. C. E. TALMA, (*Minister of Health and Community Development*); Hon. J. C. TUDOR, M.A., (*Minister of Education*); Hon. E. W. BARROW, B.Sc., L.L.D. (Hon.), (*Prime Minister*); Mr. J. W. CORBIN; Mr. R. ST.C. WEEKES, J.P.; Mr. W. R. LOWE; Hon. N. W. BOXILL, (*Minister of Communications and Works*); Mr. J. B. YEARWOOD, (*Chairman of Committees*); Sir G. H. ADAMS, C.M.G., Q.C., B.A., D.C.L. (Hon.), (*Leader of the Opposition*); Mr. W. C. B. HINDS; His Honour G.E. SARGEANT, (*Deputy Speaker*); Mr. C.A.E. HOPPIN, J.P.; Mr. L. S. CRAIG; Mr. J. B. SPRINGER; Mr. H. B. ST. JOHN, LL.B., and Mr. J. M. G. M. ADAMS, M.A.

*Prayers were read.*

### MINUTES

Mr. SPEAKER: I regret to have to inform hon. members that there are no Minutes available today for confirmation.

### PAPERS LAID

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. Prime Minister, Minister of Finance and Minister of External Affairs, I am commanded to lay the following:-

The Pensions (Amendment) (No. 2) Regulations, 1967.

Table of Precedence of Barbados.

Hon. J. C. TUDOR: On my own behalf, I am commanded to lay the following:-

Annual Report of the Commissioner of Police of Barbados for the year 1965.

Hon. N. W. BOXILL: Mr. Speaker, I am commanded to lay the following:

The Parcel Post (Rates) (Amendment) Regulations, 1967.

### GOVERNMENT NOTICES

Hon. J. C. TUDOR: Mr. Speaker, I beg to give notice of a Resolution to approve the lease to Town and Commercial Properties (Barbados) Ltd., of a parcel of land situate at Engineer's Pier, Aquatic Gap, in the parish of Saint Michael.

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Hon. Prime Minister, Minister of Finance and Minister of External Affairs, I beg to give notice of a Bill to amend the Barbados Union Oil Company Refinery (Levy on Petroleum Products) Act, 1965.

Hon. J. C. TUDOR: Mr. Speaker, on behalf of the Minister of Agriculture, Labour and National Insurance, I beg to give notice of a Bill to amend the National Security Act, 1966.

Hon. N. W. BOXILL: Mr. Speaker, I beg to give notice of the following Resolution:-

A Resolution to settle the rates of postage of parcels to the United Kingdom and to other places via the United Kingdom.

Also, a Bill to amend the Motor Vehicles and Road Traffic Act, 1937.

Hon. C. E. TALMA: Mr. Speaker, I beg to give notice that Oral Reply to Parliamentary Question No. 22, asked by the hon. senior member for St. James is ready.

Hon. N. W. BOXILL: Mr. Speaker, I also beg to give notice that a Reply to Parliamentary Question No. 27, asked by the hon. junior member for St. George is ready.

## PRIVATE MEMBERS' BUSINESS

## QUESTIONS

Mr. SPEAKER: The hon. junior member for St. Peter. His question *re* the Centre at Boscobelle Girls' School.

Mr. HINDS: Mr. Speaker, to enquire of the appropriate Minister:-

1. Is Government aware of the hardships caused to young women residing at Boscobelle, St. Peter and St. Andrew; Mount, St. Peter and St. Andrew Gays, Diamond Corner, Castle and Moor Hill, St. Peter, who are desirous of taking courses offered under the Government sponsored Domestic Science Scheme through the closing of the Centre located at Boscobelle Girls' School?

2. What was responsible for the cessation of classes being held at this centre?

3. Will Government take steps to have such classes re-commenced with as little delay as possible?

Mr. SPEAKER: The same hon. member. His Question *re* the staff employed at Cable and Wireless.

Mr. HINDS: Mr. Speaker, to enquire of the appropriate Minister:-

1. Is Government aware that relations expatriate and local staff employed at Cable & Wireless (W.I.) Limited at Barbados are such as can cause serious disruption in the Island's communication with the outside world?

2. Is Government aware that an expatriate who once delighted in making reference to Local as "Black Barbadians" is returning to the Island shortly to act as Area Manager of Cable & Wireless (W.I.) Limited?

3. Will Government consider acting in the interest of Local staff and Barbados' reputation as a whole, by denying the said expatriate a further opportunity to taunt locals?

4. What percentage of staff at Cable & Wireless (W.I.) Limited at Barbados are expatriates or non-nationals?

Mr. SPEAKER: The same hon. member. His Question *re* U.S. Naval Facility.

Mr. HINDS: Mr. Speaker, to enquire of the appropriate Minister:-

1. Do the wives of personnel attached to the U. S. Naval Facility at St. Lucy enjoy any special privilege granted by the Government of Barbados?

2. If the answer to the above is in the affirmative, have any attempts been made by such persons to abuse such privilege?

3. If the answer to No. 1 is in the negative however, can the Government state if there is a possibility of such ladies depriving the Government of much customs revenue through exporting from this Island antiques and other goods covered by Customs Regulations?

4. Will the Government seek to bring to justice persons found to be involved in such a racket?

Mr. SPEAKER: The same hon. member. His Question *re* members of the Royal Barbados Police Force.

Mr. HINDS: Mr. Speaker, to enquire of the appropriate Minister:-

1. Since when were Permanent Secretaries entitled to the compliment of the "Salute" from members of the Royal Barbados Police Force?

2. Is the Minister aware that a Police Officer, acting on the complaint of a Permanent Secretary, *re* No. 1 took it upon himself to order the transfer from the Bridge Police Station, of the full land police detachment stationed there?

3. Had the Commissioner of Police disciplined the Officer concerned?

4. If not, why not?  
2.55 p.m.

*Mr. CRAIG entered the House and took his seat.*

Mr. SPEAKER: The hon. senior member for St. James. His question *re* Life Guard Service throughout the Island.

Mr. CRAIG: Mr. Speaker, to enquire of the appropriate Minister:-

Would the Government consider the advisability of taking over, improving and maintaining an efficient Life Guard Service throughout our Island?

Mr. SPEAKER: The same hon. member. His question *re* work on the Holetown Bridge.

Mr. CRAIG: Mr. Speaker, to enquire of the appropriate Minister:-

Can the Minister state the reasons why work on Holetown Bridge in the parish of St. James, has not yet been started?

Mr. SPEAKER: The same hon. member. His question *re* a better garbage disposal system for St. James.

To enquire of the appropriate Minister:-

Would the Minister care to explore the possibility of instituting a better garbage disposal system for the residents of St. James?

Mr. SPEAKER: The same hon. member. His question *re* a public bath and latrine at the fishing centre in Fitts Village, St. James.

Mr. CRAIG: Mr. Speaker, to enquire of the appropriate Minister:-

Would the Minister favourably consider erecting a public bath and latrine at the fishing centre in Fitts Village, St. James?

Mr. SPEAKER: The same hon. member. His question *re* Street lighting in certain areas in St. James.

Mr. CRAIG: Mr. Speaker, to enquire of the appropriate Minister:-

Would the Minister favourably consider installing communal baths, and introducing street lighting in the districts of Greenwich, Durants' Village, Sea View and Olive Lodge Road in the parish of St. James.

Mr. SPEAKER: The same hon. member. His question *re* street lighting along Highway 1.

Mr. CRAIG: Mr. Speaker, to enquire of the appropriate Minister:-

Can the Minister treat as a priority the street lighting along Highway 1, between Porters and Mount Standfast, a street frequently used by hotel guests and workers leaving the hotels late at night?

Mr. SPEAKER: The same hon. member. His question *re* the quality of evaporated milk products by the Pine Hill Dairy.

To enquire of the appropriate Minister:-

1. Has the attention of Government been drawn to complaints by both consumers and dealers, as to the quality of the evaporated milk produced by the Pine Hill dairy?

2. If Government is aware of such complaints, can the Minister say what improvements are envisaged in the future?

#### REPORT OF SELECT COMMITTEE PRESENTED

Mr. ST. JOHN: Mr. Speaker, I beg to present the Report of the Select Committee appointed to consider and report on the Bill to incorporate the Barbados Family Planning Association.

The Report is as follows:-

The Committee met on one occasion and it recommended the passing of the Bill with the following amendment:-

#### PREAMBLE

Line 3 of the Preamble was amended by putting the word "Grace" in round brackets so that the

words "Lady Grace Adams" would read "Lady (Grace) Adams."

Dated this 16th day of June, 1967.

H. B. St. John,  
Chairman.

Hon. C. E. TALMA: Mr. Speaker, I think that the hon. member who has just spoken, reported on the Bill to incorporate the Barbados Family Planning Association.

Mr. SPEAKER: The hon. member presented the Report.

Hon. C. E. TALMA: Mr. Speaker, I wanted to draw to the hon. member's attention the fact that this Bill was considered by the Cabinet some time in April last year, and I was not duly informed of the meeting which took place on Friday, with the result that I did not attend that meeting having been informed of it for the first time at 1.30 p.m. of the clock. I want to draw to the hon. member's attention that Private Member's Bills have to be considered by the Cabinet, and this Bill was considered by the last Cabinet in 1966 and there were certain amendments, not of a very substantial nature, decided upon. I therefore cannot subscribe to the passing of the Report as such because that would be contravening the whole procedure.

Mr. SPEAKER: I consider that the hon. member was merely presenting the report at this stage. No doubt this Report will be duly printed and circulated.

Hon. J. C. TUDOR: I take it that the Select Committee will not yet be discharged.

Mr. SPEAKER: I am grateful to the hon. member for informing me that he was not informed of the meeting until the very day of the meeting. I shall investigate the matter and do my best to ensure that that does not happen again.

Hon. C. E. TALMA: Mr. Speaker, it might well be that the amendment could be incorporated with the approval of the Committee.

Mr. SPEAKER: At least copies of this Report have not yet been circulated. It is either that the Committee may meet again or it will deal with this Report as an Interim Report, or when we deal with it in the House this amendment might be accepted. However, we must await the printing of the Report.

#### BILLS READ A FIRST TIME

*On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, a Bill to amend the Barbados Union Oil Company Refinery (Levy on Petroleum Products) Act, 1965, was read a first time.*

3.05 p.m.

*On motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, the Bill to amend the National Insurance and Social Security Act, 1966, was read a first time.*

*On motion of Hon. N. W. BOXILL, seconded by Hon. C. E. TALMA; the Bill to amend the Motor Vehicles and Road Traffic Act, 1937, was read a first time.*

Hon. J. C. TUDOR: Mr. Speaker, before the House proceeds, I would just like to draw to the House's attention the fact that the Hon. Minister of Communications gave notice of a Resolution to set out the rates of postage of parcels to the United Kingdom and to other places *via* the United Kingdom.

This Resolution has been circulated and hon. members would see from its nature that it has some urgency about it and, therefore, at the appropriate time, I will ask the House to deal with it.

#### RESOLUTION OF SYMPATHY re SIR FRANK HOLDER'S DEATH

Hon. J. C. TUDOR: Mr. Speaker, I beg to move the following Resolution with respect to the death of the late Sir Frank Wilfred Holder, former member of the House of Assembly. The Resolution reads as follows:-

"BE IT RESOLVED that this House place on record its profound sympathy at the death of Sir Frank Wilfred Holder, Kt., C.M.G., C.B.E., Q.C., B.A., a former member of the House of Assembly;

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to his widow."

Mr. Speaker, it was only two weeks ago that this House had the regretful task of moving a similar Resolution as regards the late Sir John Chandler, who like the late Sir Frank Holder was a member of the House. No member of this House or any Chamber for that matter would have pleasure in moving this kind of motion. However, the late Sir Frank Holder was one of the most distinguished sons of this country. He had served in this Assembly from 1930 to 1941 and within that period, he represented so far as I gather the constituency of St. Andrew. Sir Frank Holder was a member of the Executive Committee of the Island also within that period.

The late Sir Frank Holder had only just passed his seventieth birthday. He was educated at Harrison College, Codrington College and eventually at the Middle Temple in the United Kingdom. During his practice of law, he served here and then in British Guiana where he reached the top of his profession. His wide humanitarian principles he exemplified both here and in British Guiana, later Guyana. He served here as Judge of the Assistant Court of Appeal and then Solicitor General from which post he went to

British Guiana and served first as Solicitor General, then Attorney General and finally as Chief Justice of the territory. After his service there he returned to Barbados.

If Sir Frank's period of service had ended there, it would be enough to earn him his place in the history of this colony but above and beyond all that, he had wide interests in many features of human life, wide enough to bring him into contact with many types of men and women and boldly enough to bring him the humanitarian record which he has earned. At one time he was Chancellor of the Province of the West Indies. He was until very recently President of the Arts Council and those who knew him in this capacity, know the great interest which he took in that capacity and the amount of time which he devoted to it. He had already been at several periods of his career intimately concerned with education in this Island and at the time of his death was a member of the Education Board of this Island. He rendered sterling services on the Education Committee.

Sir Frank Holder was at the time of his death a member of the Privy Council and those who had the honour of serving with him have attested not only to his wide knowledge of political affairs but also to his deep humanitarian interest.

Many people both here and in Guyana will no doubt remember him for his qualities and meekness of heart. This House more than any other body deeply regret that such a distinguished son of the soil is no longer with us so as to be of further service to the community. We all deeply regret his passing. His life has been an example to all of us.

3.15 p.m.

The Resolution not only, Mr. Speaker, records the House's distress at his passing, but certainly it also records its desire that its distress be communicated to Lady Holder. I beg to move that this Resolution do now pass.

Sir GRANTLEY ADAMS: Mr. Speaker, so many excellent, well-deserved tributes have been already paid to the late Sir Frank Holder, that there is nothing I can say that will not be a repetition. Those tributes heard in a broadcast and in the address today could hardly be improved on by anybody, but in addition, Sir, I feel it more intimately because at school at any rate there was hardly anybody whom I knew better or who knew me better. For seven years we sat together side by side throughout the school. I went to Harrison College in 1910, found Sir Frank there as a junior in the Upper First. I went into the Upper First and as I said, sat by his side, and we sat by each other's side up to the Sixth Form when he left in 1917. We naturally exchanged all sorts of confidences; we hardly ever did any work; for one thing he was humorous and very witty and we could always find something to say about what was happening and make fun at our different masters and we devoted very little time to books. On the playing field, he was an admirable man and I mean that word in its fullest

sense. He was in every sense of the word even in his schoolboy days a full man, and a man whom you felt would never let you down, who always played the game so that I say this with some deep feeling. Whenever after school we met whether it was in London British Guiana as it then was, we always sort of returned to our schoolboy days. We took life and the things about us in the same way that we used to take them at school and then had to recollect that there was serious work to be done. When he came back here, I did not see much of him but he was always the same. He was frank by name and nature and a really admirable man who believed in doing his duty to the community.

I repeat there is hardly anything that has not been said about him that can be said now. He was one of the best people in this generation. He entered the House a year or two before me. I think he entered the House in 1931 and I entered in 1934. I found him here as representative for St. Andrew who was always forcible in his contributions to debates. He was a middle of the road man in politics. He was no socialist and he was no conservative. He believed that social reform had to be gradual and if at times he seemed to be siding with the other man, it was not that he was a conservative in any way but that he believed that progress should be gradual. He gave extremely good service to the House during the period that he was here and it was always a pleasure to listen to him because he did not digress from the subject in addressing the House. He appreciated the points made by those who differed from him but he stuck to his particular point and as it were showed why he was right and the other was wrong. He never - and I mean nothing extraneous about this - failed to see that there was another point of view beside his own. Those who knew him best will miss him for what he was as a man and what he has done as a citizen of this country.

Mr. SPEAKER: Before putting this question, I crave the indulgence of this House to associate myself with the remarks and the tributes paid by the Hon. Leader of the House and the Hon. and Learned Leader of the Opposition to Sir Frank Holder. Sir Frank was a member of this House for many years and I was a member of this House during some portion of the time that he was a member. We practised at the Bar together and I recall that during those trials which arose as a result of the disturbances of 1937 that Sir Frank Holder was one of the prosecutors for the Crown and we met on many occasions on opposite sides as we had in private life. Sir Frank was always fair, always generous, very agreeable and kind. He was truly one of the most illustrious sons of Barbados and I will ask hon. members to indicate their passing of this Resolution in the usual way by standing in their places for a period of two minutes.

*(Members stood in their places for two minutes.)*

I will direct the Clerk at the Table to forward a copy of this Resolution to Lady Holder.

Hon. J. C. TUDOR: Mr. Speaker, in addition to that, there was a slight amendment which should have been made. I should have inserted "C.M.G., C.B.E." in the Resolution, but I believe I have left out the "C.M.G." and I will ask that it be put in.

Mr. SPEAKER: If there is no objection, I will have that correction inserted. *(After a pause)*. There is no objection, and it will be done.  
3.25 p.m.

#### SUSPENSION OF STANDING ORDERS

Hon. J. C. TUDOR: Mr. Speaker, I beg to move the suspension of Standing Orders 5, 14, 16, 18, 19, 40 and 45 for the remainder of today's sitting.

Hon. N. W. BOXILL: I beg to second that.

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

#### QUESTION TIME

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Question Time be now taken.

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

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

#### ERECTION OF GENERAL BEACH FACILITIES AT DOVER

Mr. SPEAKER: It is now Question Time. I am advised that the Oral Reply has been laid to Question No. 22, standing in the name of the hon. senior member for St. James.

Mr. CRAIG: Mr. Speaker, to enquire of the appropriate Minister:

Will the Minister consider erecting baths, toilets and general beach facilities at Dover Beach, Christ Church for the use of visitors, residents, fishermen and the youth of Maxwell Hill, Silver Hill, Maxwell Road, Dover Gardens, St. Lawrence and Sandy Ground who also use the pasture opposite the said beach as a playing field?

Hon. C. E. TALMA: Mr. Speaker, the Reply to the hon. member's question is as follows:-

"The question of beach control and development is being studied by an adviser to the Government, and Dover Beach will be included in this study. The Government has, however, already taken decisions on the basis of recommendations of a Committee of Senior officials submitted in 1965, to proceed with the provision of facilities at River Bay, St. Lucy; Silver Sands, Christ Church; and Bath, St. John, which are among the more popular picnic avenues."

Mr. SMITH: As a supplementary question, will the Minister state how many latrines and baths will be erected in the financial year in the parish of St. Joseph?

Mr. SPEAKER: I am afraid that I do not regard that question as supplementary to the question asked about Dover Beach, Christ Church.

Mr. ADAMS: Will the Minister give an assurance that no political considerations have entered into the choice of the places where he has said these facilities will be erected? If I may repeat the places, Silver Sands, Christ Church; Bath, St. John; and River Bay, St. Lucy.

Hon. C. E. TALMA: Mr. Speaker, the question of political considerations does not arise in this case because it is a question of the people of Barbados who are of primary importance.

Mr. CRAIG: Would the Minister be able to say whether during this study, it is possible that they will have these facilities erected at Dover, Christ Church.

Hon. C. E. TALMA: I have already covered that point. I said that the question of beach control and development is being studied by an adviser to the Government, and Dover Beach will be included.

Sir GRANTLEY ADAMS: Will the Minister deny that these three sites are very fortunate in being selected in that at the last general Election, the proportion of voters for the present Government supporters were in the ratio of 9 to 1, 7 to 1 and 2 to 1?

Mr. SPEAKER: I do not regard that question as arising from the question which has been asked?

#### ABSENCE OF WATER HYDRANT AT PARISH LAND ST. GEORGE

Mr. SPEAKER: The next Question to which the Oral Reply has been laid is Question No. 27, standing in the name of the hon. junior member for St. George.

Mr. HOPPIN: Mr. Speaker, to enquire of the appropriate Minister:

(a) Is Government aware of the danger the residents of Parish Land, St. George will be faced with should a fire occur in or around that area because there is no water hydrant?

(b) If the answer to the above is in the affirmative, will Government instal a hydrant and relieve the residents of this pending hazard?

Hon. N. W. BOXILL: Mr. Speaker, the Reply to the hon. member's Question is as follows:-

(a) No, Sir.

(b) Two fire hydrants have already been installed in the parish Land area."

Mr. SPEAKER: So far as I am advised, no other Replies to Questions have been laid.  
3.35 p.m.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Government Business be now taken.

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

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

#### THE PROPERTY INSURANCE (GOVERNMENT AND STATUTORY BODIES) ACT 1967

Mr. SPEAKER: Government Business becomes the instant order of the day. The first item stands in the name of the Hon. and Learned Prime Minister, Minister of Finance and Minister of External Affairs: Second reading of a Bill to provide for the establishment of a fund out of which the loss of, and damage to, certain liabilities incurred by the Crown in right of its Government of this island, and by certain statutory bodies are to be satisfied and insurance premiums on certain public property are to be paid.

Hon. E. W. BARROW: Mr. Speaker, some years ago it was discovered that the Government was paying very large sums of money by way of insurance to provide coverage for Government buildings, motor vehicles and certain equipment owned by the Central Government. It was therefore considered that it was large enough for the Government to have its own insurance. Up to the present time, Mr. Speaker, the properties insured by the Government is restricted to Government Buildings, motor vehicles and certain equipment owned by the Central Government, such as equipment under the control of the Department of Highways and Transport and so on.

Statutory bodies especially public corporations have pointed out to us from time to time the large sums of money which they are paying out in insurance to private people. These large sums of money which have been paid to private insurance companies by these statutory bodies are not only a loss to the country because many of these insurance companies have their head offices in other countries but further than that, the claims which are made do not justify the continuance of the insurance to private business.

The Government has therefore enlarged the scope of the Public Property Insurance Act of 1959 to provide for the insurance of property held by public corporations. As I have said, lots of these statutory Boards enumerated from time to time the high premiums which have been charged to insure their properties and it is noteworthy that people never claim that the increase in the cost of living is as a result of these things, they always accuse the Government for an increase in the cost of living. For a long time these insurance companies have been holding up this community to ransom.

At first, we did not view this request by these Boards with any great degree of equanimity because we were not satisfied that people treat public property with the respect that was due. However, after careful examination we have come to the conclusion that some kind of saving may inure to these Statutory Boards if we allow them to take advantage of the Public Property Insurance Act of 1959.

All Public Property will not be automatically eligible to be brought under the Government's Insurance Scheme. There are some which are more liable to series of claims than others. There are some whose operations are of a much more risky dimension.

We are therefore making an amendment at Clause 13 so that the Cabinet may delete any Scheduled Statutory body from the first Schedule and in like manner may insert any body corporate established or constituted by an Act.

We are also making provision for the members of the standing Insurance Committees to be a maximum of five instead of three.

We are also making amendments to Public Property Insurance Act of 1959 and the regulations therein.

For the benefit of those hon. members, like the hon. junior member for St. Joseph who is always talking of how much money the Government owes away, I would like to inform that hon. member that by bringing in the Statutory Bodies we would have to put aside a lot of money. Let us take the Housing Authority for instance. The Housing Authority has so to speak over 3,000 houses which cost between \$9 million to \$10 million.

3.45 p.m.

The property of the Housing Authority is not now insured and will not come under the Committee. I am only quoting this as an illustration, but the present insured value is approximately \$45 million without the property of any of the statutory corporations. You could imagine then how much money could be paid out in premiums to insurance companies with the exception of one as far as I know, all of them being companies operating from outside of Barbados, if the Government did not underwrite these insurance themselves.

Quite apart from this, I am very pleased to inform the members of this House that this one Department of Government - the Caribbean Currency Board - shows a reasonable profit, and I will be bringing before this House, if my representation to the Prime Minister of a neighbouring country does not bear fruit in a given time, certain legislation on this insurance question.

At the end of the last financial year, our investments at market value was \$2,000,668, this is the value of the fund, or rather, our overseas stock alone, our total portfolio, was \$2,000,668 and our overseas stock was approximately \$1.534 million. Indeed the

hon. senior member for Christ Church is the object of great envy of this side of the House, because he has a complete innocence of financial matters which we must envy him for, and therefore he is deprived of the headaches which come from the unfamiliarity of financial matters.

When I said "overseas stock" just now it caused some confusion and I would like to point out to the hon. member that in so far as insurance is concerned there is no country in the world, especially when it is subject to visitation from hurricanes, etc. that does not invest overseas. For Barbados, we have our portfolio spread outside to the tune of \$1.5 million, so that if there is a hurricane, you would have from outside the funds to draw upon to rebuild the country.

Mr. Speaker, the removable value of the irremovable property which is insured under the National Insurance Committee is \$33,000,000, so that means in rolling stock and movable articles and perishable articles the value is some \$12,000,000. Naturally, the premiums on removables are much lower than that on things like rolling stock, Highways and Transport equipment etc. I beg to move that this Bill be now read a second time.

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

Mr. ST. JOHN: Mr. Speaker, this Bill, in the sense that I understand it, is to modify some provisions of the original Act which was passed as long ago as 1959, but in introducing the Bill the hon. Prime Minister ranged far and wide and gave us a general account on the high premiums charged by the insurance companies in Barbados. The hon. Prime Minister, as Minister of Finance of this country has it within his power to rectify any such situation - as a matter of fact, it was one of the promises of his party, and of his Government, that they would introduce an insurance Act in this country, to ensure that only reputable insurance organisations would carry on business in Barbados. Despite that, there are still a number of fly by night insurance companies who come here and receive premiums but who, when the time of settlement comes, it is very difficult to find them.

I hope that Government would regard this as a matter of urgency and would bring down a comprehensive insurance Bill. I hope too that the Government in the regulations of the insurance scheme would see fit to look into the Statutory Boards and bring them under this scheme to institute a special scheme of insurance known as fidelity insurance so as to ensure the interest and integrity of their employees and board members. We, as a whole, see this Bill as only an attempt to improve the provisions of the 1959 Act in the light of the experience that elapsed between 1959 to date and the running of the administration of that Bill.

Hon. E. W. BARROW: I would just like to inform the hon. member that the insurance Act is almost ready; it should be here within two or three weeks as far as I know, but the hon. member would appreciate

that, contrary to their belief, this Government does consult with people who are concerned with the enactment of legislation, interested parties, and particularly we have had to consult with the insurance companies and this has necessarily taken a long time, because the Head Offices of most of these companies are not in Barbados, and the local offices have had to refer this matter to the Head Offices. We want to avoid the unpleasant experience which another territory endured when they introduced similar legislation on insurance.

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

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

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

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

3.55 p.m.

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

*Clauses 1 to 16 inclusive were called and passed.*

*The first Schedule was called and passed.*

*The second Schedule was called and passed.*

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that you do now report the passing of one Bill in Committee.

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

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

*The CHAIRMAN reported and Mr. SPEAKER resumed the Chair and reported accordingly.*

*On motions of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA in each case, the Bill was read a third time and passed.*

#### ORDER POSTPONED

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Order No. 4, standing in the name of the Hon. and Learned Prime Minister, be the next Order of the Day under Government Business.

Hon. C. E. TALMA: I beg to second that.  
4.05 p.m.

Sir Grantley Adams: You have asked hon. members to deal with this Bill. I got a copy of this Bill at about four o'clock yesterday evening. The same thing applies to other members on this side. I hear them complaining about it.

Hon. E. W. BARROW: If the Hon. Leader of the Opposition has only got his copy yesterday evening I can assure him that we on this side deal with more business in a day than what former leaders of the Government did. It is only necessary that a Bill of this kind would take time to deal with. We do not send out the papers. We are not the Clerks of the House.

If the hon. member has not received the Bill until yesterday evening I would be very pleased to grant consideration of postponement of this measure.

I understand that the next Order which is a Bill to provide for the acquisition, deprivation and renunciation of citizenship of Barbados, has suffered the same fate, and I will grant a postponement of consideration of that measure.

(A VOICE: Let the Hon. Prime Minister get up and say what he did just now.)

The Government have no means of knowing when hon. members receive their papers and all that hon. members have to say is that they have not received their copies yet, and we are quite willing to grant a postponement.

If they say we have not received Order No. 5, also, the same thing would prevail.

Mr. SPEAKER: I declare Orders No. 4 and 5 duly postponed.

Hon. J. C. TUDOR: I beg to move that Order No. 6 be taken as the next item of Government Business.

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

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

#### SUGAR INDUSTRY (REHABILITATION, PRICE STABILIZATION AND LABOUR WELFARE) (AMENDMENT) BILL, 1967

Mr. SPEAKER: This Order stands in the name of the hon. senior member for St. Andrew, the Minister of Agriculture.

Hon. J. C. TUDOR: Mr. Speaker, I am asking leave of the House for the Hon. Prime Minister to deal with this Item in the absence of the Hon. Minister of Agriculture.

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

Hon. E. W. BARROW: The history of this Bill and the amending Act which it amends goes back to the great days of World War II when the United Kingdom by an arrangement with all the Caribbean sugar producing countries obtained sugar in bulk from these countries. It is not generally known that

the present Commonwealth Sugar Agreement which we now have owes a great deal to representations made by people in Barbados, particularly the Sugar Producers who managed to rally around them the other sugar producers in the Commonwealth in order that they should have a long term arrangement between themselves and the United Kingdom Government for the purchasing of their sugar in order to stabilize wages. As a result of this representation there was a conference between the United Kingdom Ministry of Food and Agriculture and the sugar producing countries of the Commonwealth and out of that conference the United Kingdom Minister of Food and Agriculture Act was passed.

As a result of that agreement was entered into between the United Kingdom Government and these Commonwealth Sugar Producing countries that the United Kingdom Government purchase from these Commonwealth Countries some of their sugar at a price to be arranged and as a condition precedent it was laid down that the Commonwealth Countries should set up a Rehabilitation Fund, a Price Stabilization Fund and a Labour Welfare Fund and pass legislation as to the disposal of these Funds.

The 1947 Sugar Industry (Rehabilitation, Price Stabilization and Labour Welfare) Act, therefore was the result of the original discussions between the Commonwealth Sugar Producers and the United Kingdom. I do not want to go into detail as regards the Commonwealth Sugar Agreement largely because it is irrelevant at this stage.

4.15 p.m.

This is a very serious stage in our economic history, because it is not generally known, and particularly the public information in this country appear to indulge in the conspiracy of silence over the fact that the common agricultural policy of the Inner Six comes into force in 1970, which is just two or three short years from now. When the policy of the Inner Six is implemented, it is going to mean certain very disastrous consequences to the exporters of sugar in the West Indies and other Commonwealth countries to the United Kingdom unless certain special arrangements are made under the common agricultural policy. For instance, you have, Mr. Speaker, what you will describe as a proper price for agricultural products and you have a freehold price, and it is the avowed intention of the Inner Six the Benelux countries, together with Western Germany, France and all who constitute the European Economic Community, the six countries to be self-sufficient in agricultural products, so that the importation of basic commodities from primary producers in any part of the world will not only be restricted, but in the final analysis eventually be curtailed altogether.

As far as sugar is concerned, as long ago as 12 or 14 years ago, the accrued prices and the freehold prices were fixed – I am quoting roughly – approximately 47 pounds per ton under the last sugar agreement. The world market price for sugar is less than over 40 pounds per ton to produce sugar, and there-

fore the world market price of sugar is far below our cost of production. If therefore the special arrangements which we have under this Act which we are amending here today will be brought to a complete curtailment in 1970, the economic consequences of the West Indies can only be described as disastrous. The target price for sugar in the Benelux countries and the other countries in the European Common Market is £81 per ton, and under the common agricultural policy the exporting countries would feel it more. The importing countries have to put the difference between the target price of £81 and the world market price, so that the difference alone to which all surplus should go into any country in the European Economic Community. I deliberately did not say Common Market because this will only come about in 1980.

This is the position that will concern commonwealth producers in 1970 if Great Britain is admitted and if special arrangements are not made for the preservation of these commodities which we have.

One of the only things creditable that I can say that the United Kingdom has done for the under-developed countries in the Commonwealth is that she has made a real economic impact on the standards of living of these countries. It is true that in areas in which the world market prices happen to be above the negotiated price, under the Commonwealth Sugar Agreement the United Kingdom has made a lot of money out of us, but it is also true that we have had a certain amount of economic stability in the region, particularly in the West Indies, because of the foresight of the people were responsible for hammering out the Commonwealth Sugar Agreement, and I am very proud that regardless of race or colour there are people in this country who were the prime movers in bringing about this Agreement, but the other aspect of the Agreement which has benefitted us here in Barbados and in the other West Indian territories, has been the special love over and above the negotiated price which the United Kingdom importers have had to pay, and this money did not go into the funds of the sugar producers, but was specially set aside under the Sugar Industry (Rehabilitation Price Stabilization and Labour Welfare) Fund, and as far as I remember it started out something like this, if a person let us say, made about \$13.20, \$4.80 went into the Rehabilitation and \$4.80 in the Price Stabilization Fund, and the balance of \$3.60 went into the Labour Welfare Fund. From that \$3.60 which had been paid by the United Kingdom housewife and the United Kingdom importer, all has not been used by the worker in the field, because this money was paid out at the rate of £1 per ton.

4.25 p.m.

The purpose of this Bill is to deal with the payments made by the consumers in Barbados, not by the consumers in the United Kingdom. We have instituted a policy, and when I say "we", I mean we, as a Government. It has always been the policy of the Government that the people in Barbados should contribute towards their welfare. We consume about 10,000 tons or 11,000 tons of sugar in Barbados per

annum and the \$13.20 per ton has been paid into the three Funds in the same way that it is paid into the Fund by the importers in the United Kingdom. Let us assume that our annual consumption is 10,000 tons of sugar; there would be an amount every year paid into the Funds of \$132,000, and this \$132,000 is used for buttressing up the local sugars, in other words, subsidising them, so that the people with small incomes use this sugar. That is an accepted theory and the three Funds have been used to subsidise the lower grades of sugar for the benefit of the lower income groups in the community.

The object of this Bill is to make it clear that the money received by way of levy on sugar sold for local consumption may be used for such purposes other than stabilising the local retail price of sugar as the Cabinet, with the approval of Parliament, may, from time to time, determine. Before we pass this amendment, it could only be used for the purpose for stabilising the price of sugar. Parliament will have the unfettered right from time to time to say, if there is any one overplus of money into the Fund in respect of locally consumed sugar, to what purpose it should be used. This is nothing to do with the allocation of sugar which is sold overseas because this money is disposed of only with the approval of the Secretary of State for the Colonies and local Legislature, but there must be a certain amount of flexibility in the employment of this Fund because it is generated by the people of this country and the people of this country should benefit rather than the people overseas. I beg to move that this Bill be now read a second time.

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

Mr. J. M. G. M. ADAMS: Mr. Speaker, I am glad that on this occasion rather than one of the Ministers having to ask leave to take charge of a Bill standing in the name of the Hon. Prime Minister, the Hon. Prime Minister has come to move the second reading of a Bill standing in the name of another Minister. We welcome the Prime Minister to the House today. This welcome, Mr. Speaker, is not, as far as I am concerned, sarcastic because I am going to say that I particularly welcome the fact that the Prime Minister has taken the opportunity of introducing a Bill which might well have been introduced in three or four minutes, and of making a long speech setting out the situation with the Commonwealth and the negotiations which are taking place at the present time, and the other matters which he has discussed today. I welcome it all the more because much of what the Prime Minister has said has recently been said on political platforms of the Barbados Labour Party by more than one speaker of the Barbados Labour Party. Indeed, when he touched on the position in 1970, the £81 per ton which is the producers' price inside the European Economic Community — I am not accusing the Prime Minister of reading the Newspapers or in any way getting information, but I can remember only too well saying the same thing myself and seeing it reported.

We must be glad that the Prime Minister has taken the time off today to tell the House something

about the most important industry in Barbados. I do not know if the reports of today's proceedings in the Press will be of the order that they use to be in former sessions of the House to the effect that the Opposition was not quite so vocal or effective; but if there are, the Prime Minister has done his best to alleviate some of the fears of those who do not share quite so warmly his sentiments in hoping that he will see Barbados free of cane blades. However, as to the substance of what he has said, we, on this side of the House, have been urging the Government to treat the question of the sugar industry and the European Common Market not purely as an ordinary threat but as far as we can, try to meet the challenges inherent in it. If Britain joins the European Common Market the tariff which Britain will have to pay for Commonwealth sugar, will make the price prohibitive. We are all agreed on that. At the moment the world price is not bright and it was £20 above the Commonwealth sugar agreement price. (MEMBERS: That is not so.) Mr. Speaker, I have been corrected on this point, but the last world price which I saw myself was £32 per ton and not less than £20 which I saw in print. I hope that the Prime Minister has such up-to-date information as will enable him to make the necessary correction; but whatever the price is, it is below one pound per ton which is the present market price. The reason why the European Common Market price is paid on that is that six countries are still the net importers of sugar, and their aim is to make the European Common Market self-sufficient in all agricultural products and that includes sugar. The price of £81 per ton is paid in order to get the domestic production expanded, but the fact is that the European Common Market is still a net importer of sugar. Britain at the moment gets her sugar from the East apparently cheaper because the European Common Market price is very much lower than the price which she will have to pay if she becomes a member of the European Economic Community.

4.35 p.m.

It is therefore in Britain's great interest to continue with the Commonwealth Sugar Agreement. I have no doubt that the Hon. Prime Minister will reply to that. He will be able to tell us whether they are urging this in case Britain goes into the European Economic Community.

Britain would not be doing us a favour if it continued with buying our sugar. If they discontinued buying our sugar, beet sugar would have to be paid for at a rate of nearly \$400.00 per ton. That would be the case if they decided to get rid of the Commonwealth Sugar Agreement. As far as we know, Britain is going to do her best to continue the Agreement which they have with Barbados and the other Commonwealth Sugar Producing Territories.

Even the countries of the European Common Market, we know, have ways of getting tropical sugar. In the Latin American countries the growers of sugar have the benefit of a bigger price paid for their sugar because of the association which they have with France.

Those who broke up the getting together of the Little Eight must be feeling very sorry now because it has been suggested that since the relation of those Eastern Caribbean Countries, except Barbados, have the same relation of associated states with Britain as Surinam has with the countries of the European Common Market. No doubt it would be easy for them to obtain membership of the E.C.M., should Britain become a member of that organization. If those islands were to decide to apply for associate memberships of the European Economic Market, they would be given for their sugar a price of half as much again over the price given the Barbados Sugar Industry.

That is the position that the whole Antigua Sugar Industry would be in. Having an associate statehood with Britain, should Britain join the E.C.M., Antigua would be able to rehabilitate their sugar industry much easier and we in Barbados would just be sitting here and just talking of no more cane blades. I hope such a day will come so that the architects of destruction, those who believe only in the weapons of breaking and not building, will understand what they have done.

We are in the position that we were growing perturbed at the thought that we are breaking off relationship with those long established customs. It had come to a time when everybody in Barbados had been affected, one way or the other, but the disturbing speech which the Hon. Prime Minister had made about the Sugar Industry. Now, he has come here today and revealed a knowledge which none of his earlier pronouncements could have led any of us to believe he had. Today, the Hon. Prime Minister has come here and given the lie to those of us who thought that we would be breaking off relationship with the Sugar Industry.

If for nothing else, this speech by the Hon. Prime Minister would be giving the lie to earlier pronouncements which he has made and we hope that the grasp of the facts which he has shown that he has will be translated into sensible laid down policy by him because he has set himself over and above his Ministers. We can only take it that the Ministers are there for his convenience and he rules over them in Cabinet, even to the extent of their dealing with their portfolios.

Let the Hon. Prime Minister tell the Hon. Minister of Agriculture to look at these things. After all, the countries of the E.E.M. will be in need materially of tropical sugar. The West Indies are not countries of any slight nature. They are to be highly praised for the very substantial market which they provide for British goods.

There was a time when the market for motor cars revealed that the West Indies were virtually the largest importers of motor cars. In the way of a market for our sugar let them continue to make an effort to give us something. Britain needs our sugar. The European countries are in need of sugar. Let the Hon. Minister of Agriculture believe that this

island would strengthen especially Britain's entry into the E.E.M.

4.45 p.m.

Well, Mr. Speaker, when the Minister of Trade returns from London he will have some good words for us on the subject. I believe that when he left for London he was at least aware of some of the arguments which I have put forth here today, and he must certainly have been aware of the facts that the Prime Minister has given to the House. We, as far as the Bill is concerned, have no objection to its principle; we appreciate what was said and the Opposition certainly does not intend to vote against the second reading of this Bill.

Mr. SMITH: Mr. Speaker, this Bill, I do not think that anyone will think of voting against the second reading of this Bill. I also feel happy to welcome the Prime Minister with us this afternoon. Believe me, Sir, what makes me feel more happy, when I first saw him I had expected to see the black box, not seeing it made me feel more happy to know that all is well. He had me smiling all the time with him, he may not have noticed it. Everyone knows what I mean when I mention the black box and what flies out of it at this time of the year.

Now, Sir, relative to these funds, Rehabilitation, Price Stabilization and Labour Welfare, I had expected the hon. introducer to mention the amount that is in the till, because he is asking for the green light, and I was expecting to know the amount that is there. I did not hear him say how much would be taken out of that fund, Sir.

Also, Sir, I am referring now to the Rehabilitation Fund. If I am going wrong, I know the hon. Minister will stop me and not let me take up the time of this Hon. House. I can remember some time ago, I know that factories and so on were getting theirs to rehabilitate their machinery and things of that sort, but the small growers, theirs was so small and the last Government wanted to give it to them, but they practically had to tell some untruths to get it, and when I say untruths, it meant that you would have to show a receipt that you have bought a mule or a donkey or something, but I believe that has been changed. I have not heard anything since, if these small cane growers are still in receipt of this small amount or if it is still there for them, or what has happened. If I am wrong, I will be very glad if the Minister would stop me, but I know that it would be some kind of money there for the small growers as far as the Rehabilitation Fund is concerned.

Now, some time around 1955 or 1965 it was decided to establish a Sugar Workers Provident Fund, and there are a lot of people, old people, who are not working and who ask me what has happened, because the men went to them more than once taking names and just told them they would get something from the Sugar Industry and up to now they have not got it, so I would like to know how far they have got as far as the Sugar Workers Provident Fund and the amount that is in the till. Up to last year they told the people

they would read it, how much money there is for them in this Provident Fund, and about the Rehabilitation Fund as far as the small growers are concerned, I would like to hear the Minister in his reply on those two questions.

Hon. E. W. BARROW: I understand that the hon. member who has just strayed far and wide wants some information on the Provident Fund. I should have thought that instead of a lot of irrelevant and silly questions which we get from week to week, this would be a subsequent matter. It is not my portfolio, but I can tell the hon. member that there is now a special levy out of the Stabilization Fund — you will remember a couple of years ago the House agreed to this. Every year we have to bring down the re-allocation of the levies and we have already based it for this year, for the past few years the levies have been \$1 for the Provident Fund Scheme which we will probably transfer \$150,000 a year to the Provident Fund and 30¢ for severance payment. You will remember that there is a stabilized payment about which the hon. member himself asked questions.

You will remember early this year we came in with the Order and the Sugar Industry Rehabilitation Labour Welfare year 1966—67, in this session we came in with it, and this session not being this calendar year, but in this session since we started, and the amounts of the \$4.80 rehabilitation and the workers do get what the hon. member used to call the horse money out of that, it does not go to the factories alone, the primary producers themselves are entitled to it as well. The Price Stabilization Fund does not get the full \$4.80, because the fund is fairly large and the money has been reallocated so that \$2.30 goes to the Stabilization Fund, the basic levy is \$4.80, severance payments get 30¢ and Provident Fund gets \$1.80. \$7.10 and \$6.10 comprising the amounts which I have just quoted. 4.55 p.m.

There is some money in the Provident Fund. I cannot tell you how much it is. What I do know is that, for a large number of years, before we came into it, the sugar producers had an Agreement that whenever this Fund came into effect, they would pay all of the back money which they never had. Anyhow, Sir, that situation will be rectified, but it does not look as if we can recover this money to this Fund by paying up the money now. There may be a little more additional information which I can give the hon. members from what I have here; but, as I have already said, I cannot tell them what is the total amount of money available in the Fund.

"On October 25, 1956, eleven years ago, the Governor-in-Executive Committee agreed *inter alia* that further discussions on the proposed Provident Fund for the benefit of workers in the sugar industry should proceed on the basis of finance being provided from a special levy of 40 cents per ton sugar, 290 wine gallons fancy molasses, manufactured in the Island. The rate was increased to \$1.00 in 1961. By agreement with the parties concerned, the levy was

set aside by the sugar producers and held by them until the enactment in 1964 of the Sugar Industry (Provident Fund Levy) Act which provided for the collection of the levies in the respective years 1956 to 1964. It should be noted that the Provident Fund Levy Act provided for the collection of the levy on all sugar and fancy molasses manufactured in the island during the years 1956—1964, this included an annual amount of 11,000 tons for local consumption, and appears therefore to be in conflict with the provisions of the Sugar Industry (Rehabilitation, Price Stabilization and Labour Welfare) (Local Consumption) Act, 1952, which requires that the entire levy, namely, \$13.20 collected on sugar manufactured locally for local consumption, should be paid to the Crown in right of its government of this Island for the purpose of stabilizing the price of such sugar."

Some of this money was paid to the Comptroller of Supplies out of this 11,000 tons and therefore we hope to recover the sum of \$22,000 and another sum of \$300 thousand from the Comptroller of Supplies for the benefit of the Provident Fund and the Severance Payment Fund. Money could have been paid to the Comptroller of Supplies by mistake because of a conflict in the reading of the two Acts. I can assure the hon. member that that is really the outcome of the present Bill which we are discussing, because of the mispayment to the Comptroller of Supplies. The Provident Fund should have some money available, and I do not see any reason why the Provident Fund Levy Act should not be amended. We have been urging the employment of the Fund for some time, but it is being pushed about by the Sugar Producers' Federation. They now want an expert to come in and work out the actual figures as to how the disbursement will be made and that sort of thing. We have been urging them very strongly that something should be done. As far as I can understand, it is the feeling by some people that it should be merged with the National Insurance Scheme, and the Barbados Workers' Union particularly feels, both sides feel, that the Provident Fund should be paid separately. We will not be caught into any cross-fire between the Sugar Producers' and the people in the Workers' Union. We feel that if they should get an actuary that would be satisfactory to us, but the Sugar Producers themselves feel that there is no justification for any Provident Fund which view is not shared by the workers. They have made less of a case than before, but I want to assure hon. members of the vote of the Legislature in accordance with the Sugar Industry (Rehabilitation, Price Stabilization and Labour Welfare) Act, 1947.

*The motion was put and carried.*

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

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

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

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

*Clauses 1 to 4 inclusive were called and passed.*

*On the motion of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA, the CHAIRMAN reported the passing of the Bill in Committee.*

5.05 p.m.

*Mr. CHAIRMAN reported to Mr. SPEAKER who resumed the Chair and reported accordingly.*

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this Bill be now read a third time.

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

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

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this Bill be now passed.

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

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

#### SUGAR FACTORY WORKERS SEVERANCE PAYMENTS (AMENDMENT) BILL, 1967

Mr. SPEAKER: The next Order of the day stands in the name of the hon. senior member for St. Andrew, the Hon. Minister of Agriculture.

Hon. J. C. TUDOR: I am asking leave of the House that this Item be taken charge of by the Hon. and Learned Prime Minister in the absence of the Hon. Minister.

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

Hon. E. W. BARROW: Mr. Speaker, this Bill has the same objects behind it as the last one which we passed and in that Bill I think I gave a reasonable background. As a matter of fact, I think I was accused of giving too much information. I would not bore hon. members with any more details and I beg to move that this Bill be now read a second time.

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

Mr. ST. JOHN: Mr. Speaker, I do not object to the passage of this Bill. All that we wonder is the reason why since 1965 when the Severance Payment Act was passed, that the Government did not provide for payments into this Fund from the Price Stabilization Fund. That is our question.

Our understanding is that the Labour Welfare Fund is for the benefit of people working in the Sugar Industry and my understanding is that a particular use was laid down for the money which accrued to that Fund. I believe there was a shortage of capital

for the provision of housing for the people and the Housing Board used to get a part of its funds out of the Labour Welfare Fund.

The Price Stabilization Fund is in a healthy state. I wonder if some money could not be used from that Fund. I do not know if the Hon. Prime Minister would give an explanation as to all this.

Hon. E. W. BARROW: Mr. Speaker, I think I have pointed out already the use of all these Funds. Perhaps the hon. member must have been thinking more of the economic side than the welfare side. I pointed out that the Labour Welfare Fund was raised by forty cents a ton. In 1956, the decision was made in order to set up this special use of this Fund.

From 1960, it was increased from 1.6 to accommodate the Provident Fund Levy for sugar workers. It was originally \$4.80. You took out \$1.00 and left \$3.80. Then it goes on in that way until 1965 when you decided that you wanted some money for the new scheme.

From time to time we have taken some funds away from the Price Stabilization Fund. It was in 1965 that the Provident Fund was set up. It was decided that 50 cents should be taken out of the Price Stabilization Fund. That reduced that fund to \$3.30 and this money would increase the Labour Welfare Fund by 50 cents.

I think I see the difficulty of the hon. senior member for Christ Church. He is wondering why not take the money out of the Labour Welfare Fund which is a fund set up to assist the workers. I think that is the difficulty of the hon. member. The explanation is very simple. The three funds are funds which were set up by the Government in the United Kingdom. Any room for manoeuvre is only in the means laid down.

In order to get these funds, the United Kingdom enforced the payment of these special levies on the Commonwealth countries through an Imperial Act. If we want to make an adjustment, we have to ask the Secretary of State to make the adjustment to what we want to change. The reason is because the \$13.40 which accrues to the funds is over and above what they pay us for each ton of sugar.

The Government has a wide discretion as to the allocation of this fund provided that it is something to do with the welfare of the workers. We do not have any discretion to set up any new fund. It is six Patty and four for Knights.

5.15 p.m.

What we did before was to transfer from the Stabilization Fund and put it into the Labour Welfare Fund and every year we have had, under the Sugar Industry Workers Severance Payment Act of 1965, the money was taken from the Price Stabilization Fund, but now the money will be taken from the Labour Welfare Fund, because in each and every year we have a reallocation of the \$13.20, so since we have \$6.10 as agreed to in this for the Welfare

Fund, we can take the money direct from the Labour Welfare Fund and we do not have to go through the procedure every year of subtracting the 50¢ from the Welfare Fund because we have now made the final adjustment, \$2.10 this year for the Stabilization Fund, \$1 for the Provident Fund, and the rest in the Severance Payment Fund and in the Labour Welfare Fund respectively.

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

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

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

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

*Clauses 1 and 2 were called and passed.*

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that you do not report the passing of one Bill in Committee.

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

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

Mr. SPEAKER: The Chairman has reported to me the passing in Committee of one Bill.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this Bill be now read a third time.

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

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

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that this Bill do now pass.

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

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

Mr. SPEAKER: Accordingly, I declare this Bill duly to have been passed.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Order No. 3 be the next item.

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

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

Mr. SPEAKER: Accordingly, the instant Order of the Day is Order No. 3 which stands in the name of the hon. Leader of the House and it is to move the passing of a Resolution to give effect to the Civil Establishment (General) (Amendment) (No. 8) Order, 1967.

Hon. J. C. TUDOR: Mr. Speaker, hon. members will see that this Resolution is in two parts. In the first place, it makes provision for certain additional posts in the Legal Department, and secondly to make an adjustment within the Prime Minister's Office, the Ministry of Home Affairs.

In detail, the following additional posts are required for the Legal Department:

- 1 Senior Crown Counsel
- 2 Parliamentary Counsel
- 2 Crown Counsel
- 2 Assistant Crown Counsel
- 1 Clerical Officer
- 2 Stenographer/Typists

This additional staff becomes necessary to enable that department to cope not only with its current volume of work, but with the increasing volume of work caused by new departments within Ministries and by reallocation of work arising from certain Ministries. When you compare this legal Department in Barbados with that of other territories, it appears that we have no less a volume of drafting and other work to do than is done in other territories, and certainly more rapidly than that of other territories, the requirements therefore in administration of the office is the need for increased personnel, and it is also the responsibility of the legal Department to advise the Interim Commissioner who has taken over legal Department to advise the Councils. All in all, it is felt that the increase in staff is far from being extravagant but is the minimum consistent with efficiency.

So far as the second part of the Resolution is concerned, this is designed to remove the post of Government Security Officer from the Ministry of Home Affairs to the Prime Minister's Office because matters connected with that Officer's duties are indeed the responsibility of the Prime Minister's Office. I beg to move that this Resolution do now pass.

Hon. C. E. TALMA: I beg to second that.  
5.25 p.m.

Mr. J. M. G. M. ADAMS: Mr. Speaker, the Opposition welcomes this Resolution. To begin with the last proposal first, the removal of the post of Government Security Officer from the Ministry of Home Affairs to the Prime Minister's Office, as far as we are concerned, the subject is traditionally dealt with by the Head of the Government. The Government might find itself having to investigate its own Ministers, and the logic has always been that the Prime Minister should, in the last analysis, be responsible for this subject. We are glad to see that Barbados is

coming into line with these logical positions. We hope, however, that we will not have to make any accusation that such security is being used for political ends. We hope that the Prime Minister will organize the same oversight in this case as he expressed at the Independence Conference in London. We hope that Barbados will never see security like that of Zanzibar where a relatively small number of men, about 200, can take over the Government where we will have a situation where buffoonery will become the order of the day. I hope we will always be in a position where the subject of the Government Security will not be undermined. Speaking for the Opposition, we will never be any threat to the Security of Barbados.

Indeed, in so far as the two-party system is a part of our Constitution in the broadest sense, and not as it is narrowly laid down by the written document, in so far as the acceptance of more than one political party is concerned, that is regarded as an essential bulwark of our Constitution. We hope that security will investigate any attempt at making Barbados a one-party state, except by means of the Ballot Paper at election time. I can only say that I am glad to see that the office, which as all of us who have dealings with the law will be well aware, is grossly understaffed will get the staff which is commensurate with the amount of work which it has to do. Before I sit down, there is one particular aspect of the work to be done by the Legal Department to which I would ask the Government Minister to pay particular attention, and that is the position with regard to the publication of the laws of Barbados, both the bound volumes and the future position. The laws of Barbados have often been revised in the later half of the 19th century. In every twelve years the House of Assembly would have to pass a completely new set of laws for Barbados. The current consolidated volumes of 1887 would probably be passed in 1842 but in those days copies of laws were not easy and they would re-pass these acts some years later. I do hope that with these additional posts, the Government will pass these new laws in such a form as will enable them easily to be kept up to date in the way for example, that they were kept during the old West Indies Federation, namely, the loose-leaf form, in which amendments to Acts when passed, will be printed embodying the amendment which will be placed in the volume of the law which is its rightful place.

That obviates the necessity of printing several volumes in every year. It will be easy for the Department itself to keep its laws up to date; it will be easier for legal practitioners to carry on their work and it will also be easier for the Courts. Every practitioner is aware of the difficulties of finding the appropriate act when it was amended. The Attorney General's copy has not been brought up to date and such excuses are heard. I would appeal to the Prime Minister particularly because I am sure that, with his experience, he is aware of what can be done in this respect. I have already spoken to the Minister who introduced this Resolution asking him to make it possible for subsidiary legislation which refers to

such legislation as has been passed, to have an index of the legislation to which it refers. The Minister has intimated his agreement to have these steps taken. As far as I am concerned, we are in support of this Resolution.

Mr. ST. JOHN: Mr. Speaker, the necessity for the expansion of the Legal Staff in the Attorney General's Office would not surprise any person who has any casual knowledge or acquaintance of how efficiently the Attorney General's Office works. It is no surprise to me that it is only now since we have a new Attorney General, that we have to consider these proposals. However, Sir, there is one thing which disturbs me somewhat with respect to these proposals, and it is that the Government has again, in the grade of Crown Counsel, perpetuated the system of long service in arriving at the maximum salary, which has proved in the past to be a great discouragement to people who are entering the Government Service.

5.35 p.m.

If one looks at the existing Legal Department in Barbados, one would see that in the Attorney General's Office as well as the legal departments of Government, particularly the Magistrates, one finds the posts of Senior Crown Counsel and Crown Counsel are perturbed over certain matters. I can see the grievance of the post of Senior Crown Counsel.

It is a vexed question. At a fixed salary, it may be possible to recruit the officer to the post but there are other posts in the establishment which the salary position has to be changed drastically. The attitude of the Finance Department towards these posts have to be changed.

If I am incorrect, I would like to be corrected because the salary points have been a matter affecting the recruiting of Magistrates who are in the same scale as Crown Counsel. No man is going into the service if you tell him he has to come in with length of service and then he has to serve for many years before he gets to the top grade of the post. There is a drastic dearth of Magistrates. By your actions as regards salary, it means that you are going to deplete the Magistrates further.

Already, there is the need of more than one Magistrate. So serious is the shortage that two Magistrates have to be in three courts. All of this is caused because of the fact - this is my opinion - that you are asking a man to come in at too low a salary.

Attention has been drawn to that by the Civil Service Commission. The Commission is willing to recruit people at the appropriate grade having regard to the qualifications and the ability of the man. Now, the financial Department cannot recommend the person but there is some other authority in the Ministry of Finance which says that we do not approve of the appointment at that particular salary scale.

If you are to have any hope of filling this posts, it is only by getting that person from the existing

Magistrates and then the Government would have to make up its mind as to the question of salary. It is true that the last salary revision was only put into force a few months ago. It may be contrary to the very recommendations of the salaries Commissioner, but if it is the aim of the Government to recruit people who have had practical experience over a number of years and then expect that such persons are going to come in and sweat it out starting from the minimum before reaching the maximum in the Magistrate's scale or the Crown Counsel's scale, it seems to me that the Government is in for a hard time to recruit these people.

The scale set down for Crown Counsel is \$5,580 - 9,000. By the time the next salary scale comes around the person if he started at the minimum would not reach the maximum. I understand that we had an officer in the Courts who up to the time he retired never reached the maximum of any grade that he was in. He has never actually reached the maximum salary because by the time he was reaching his maximum, a new salary scale would come up. This certainly would prevent old practitioners from taking up services in the Government.

In our Constitution now, the Director of Public Prosecutions is subject to no control by anyone and the time has come when arrangements should be made for a special office for the Director of Public Prosecutions and separate staff for the Crown Counsel would have to be given, I am not accusing anyone of anything, but provision would have to be made for that so that the Director of Public Prosecutions would be separated from the office of the Attorney General. The time has come when this question has got to be looked into. The only person who did not understand how to run an Attorney General's office was the last Attorney General.

Sir, I am glad that this post has been created and I hope the Government will look into the question of recruitment. I know that they will have an extremely difficult task to get this Senior Crown Counsel unless they do something quickly to reduce this long salary scale.

*The question that this Resolution be passed was put and resolved in the affirmative without division.*

Mr. SPEAKER: The next Order of the day is Order No. 2 which stands in the name of the Hon. Leader of the House.

#### RESOLUTION re INCREASE RATES SURFACE PARCEL POST TO UNITED KINGDOM

Hon. J. C. TUDOR: Mr. Speaker, I draw the House's attention to the Resolution which the Hon. Minister of Communication and Works gave notice of earlier today and to which I give some urgency. I said that I would proceed with it today in all of its stages and we should like to deal with it next.

I therefore ask leave of the House that the Hon. Minister of Communication now deal with this Resolution: Resolved that with effect from the first day of July, 1967, the postage of parcels to the destinations set out in column 1 of the Schedule hereto shall be at the rates set out immediately opposite such destinations according to the poundage set out immediately opposite such destinations according to the poundage in columns 2, 3, 4, 5 and 6 thereof, and that the Schedule to Resolution No. 113/1966 be varied accordingly.

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

5.45 p.m.

Hon. N. W. BOXILL: Mr. Speaker, Sir, as the addendum sets out, the Resolution provides for an increase in the rates for surface parcel post to the United Kingdom and via the United Kingdom consequent on the recent increase in the United Kingdom terminal charges.

What has happened, this is one of the things that we could not get out of. The Postmaster General has advised that the Post Office, Item No. 2 is showing a debit balance of approximately \$1,430. Revenue under this item is derived from the difference in the terminal credits on parcels, credits between this postal administration and other postal administrations. I do not want to bore the House, but what has happened is that before when you sent a parcel to England or Europe it generally goes via England, surface mail to Canada usually goes to Trinidad and will then go over. As a result of this, the Postmaster General has found out that the Post Office was operating at a loss on these parcels to the tune of \$1,430. The new rates that will go into effect are all set out in the Addendum. In view of that, Mr. Speaker, I beg to move that this Resolution do now pass. If there is anything members would like explained I will be willing to do so.

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

Mr. HUSBANDS: Mr. Speaker, I am in agreement with the Resolution. I am not talking to the Minister at all, but there is a matter relating to the Post Office and to the loss of parcels. Every now and again someone comes to me and gives me information that a parcel was shipped to a relative in the United Kingdom or elsewhere, and I am given to understand that under the International arrangement, that loss is not recovered. It has been worrying me for some time and there must be some sort of solution, I think that by the same token by which there can be an international arrangement where such losses are not recovered, by that same possibility, there can be the possibility of making some provision of some international insurance between the national Post Offices whereby such losses may be recovered.

If a lady sends to a son in London, maybe some rum, some meal, things that her son would like to

enjoy and they go astray, under this international agreement they are not recovered for all time. We cannot say that it is good enough, we must be imaginative and if little Barbados can find a way of properly suggesting some sort of international insurance for the recovery of such parcels, I think little Barbados will be leading the way in a big way, and Sir, I hold that out to the Minister, and I hope that he takes it for what it may be worth, and I think it can be worth something in the foreseeable future.

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

Mr. SPEAKER: Accordingly, I declare this Resolution duly to have been passed.

Apart from those two items which by agreement has been deferred until the next meeting of the House, so far as I can see, there remains outstanding only under Government Business No. 2 which is in the name of the Hon. Leader of the House and it is to move the House into Committee of Supply to grant sums of money for the service of the Island.

Hon. J. C. TUDOR: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

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

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

Hon. E. W. BARROW: Mr. Chairman, when the House was in Committee on the last occasion, I was not in the island, and I understand that there was quite a lot of debate on this Resolution. As is customary, the Opposition sets out to misrepresent the fact of the Government. I have had the advantage of reading the debate, and I will not take part in a debate of this kind unless I know about it, and I have had the advantage of seeing the proof of the Parliamentary report and all the observations made by hon. members.

5.55 p.m.

(Mr. HUSBANDS: That is wrong)

Hon. E. W. BARROW: When the hon. member becomes the Speaker of this House he can say what is right and what is wrong. Any hon. member can see the proof of a parliamentary debate. Anyhow, Sir, I have had that advantage. In the first place, the Government is under no legal liability to make any award in this case. I want to make that point clear. The Hon. Leader of the Opposition has said that this was not an *ex-gratia* payment. The Crown Law Officers advised that the Resolution could only be brought forward in the form of an *ex-gratia* payment. There is no legal liability against this Government for the payment of any part of the damages arising out of the case in Court. That is irrefutable and cannot be

contradicted by any legal authority either here or elsewhere. The hon. member said that this was no *ex-gratia* payment but we could only have come down with this Resolution by means of an *ex-gratia* payment. The time when the Government knew of this case was on the 30th August, 1965; that is nearly 4 1/2 years after the alleged accident took place. If I did not do my homework and the numerous letters were consigned to the dust bin as they used to be before, this matter would not have been engaging the attention of the House today, because I would never have dealt with it. I have the letter here today in order to put the record straight. This letter was addressed to the Hon. E. W. Barrow, Premier of Barbados, and it reads as follows:-

"Sir,

I, Wooley O. Layne of Water Street, Christ Church, in the Island of Barbados in the year of our Lord 1965, do petition through you to the Government in this most crucial time of distress.

I am a postman attached to the Christ Church Post Office. I was involved in an accident while on duty riding a motor cycle delivering letters.

A Civil Suit was brought against me in the Supreme Court and judgment was entered in favour of the plaintiff for the sum of \$16,000 and costs \$130. The plaintiff has distrained upon my house and property for the sum of \$12,000 approximately which the Third Party Insurance has not covered.

The property is now in the hands of the Provost Marshal for sale. I hereby beg that you put forward a timely hand in this issue and grant me grace to pay the plaintiff, Mr. Merton Best, the said money by monthly instalments as I am most willing to do.

I have a family of five and find it very difficult in getting a house to accommodate us with furniture, etc. So I pray that you give this your speedy consideration and salvage me from pending exposure and disgrace.

I am,

Sir,

Your Obedient Servant,  
WOOLEY O. LAYNE

What nonsense is this I now read? I said that if Mr. Layne was insured for Third Party Risks, the Insurance Company should normally pay the damages, although there is a limitatin. The permanent Secretary, Home Affairs, should ask for a report from the Registrar on the case and also from the Post Master General as soon as possible as to whether Mr. Layne was on duty when the accident occurred. The Registrar, on the 30th November, 1965, gave particulars of the suit pointing out that the suit was adjudicated on the 28th November, 1964, and that the Supreme Court ordered that the plaintiff recover from the defendant the sum of \$16,130 and costs to be taxed. Costs were subsequently taxed at \$1,361.15.

On the 17th December, 1964, a writ of execution for \$11,330 was issued to the Chief Marshal and the Registrar was informed by the Chief Marshal that the writ of execution was levied on the property of Osford Layne situate at Water Street, Christ Church, and consisting of an estimated 2 roods of land together with stone wall dwelling house and appurtenances.

We then got a full report from the Postmaster General that the accident had not been reported. As a result of receiving that notification from the Postmaster General that the accident had not been reported, I issued instructions to all Government Departments for the information of all Government employees that immediate notice must be given to Heads of the Departments that all accidents in which Government employees happen to be involved during the course of their duty, regardless of whether the vehicle they were using at the time was their own private property or the property of the Government. There appears to be some superstition among Civil Servants that if they are involved in an accident using their own private vehicle it is none of the Government's business. They do not realise that they will be exposing the Government to substantial damages provided that they were acting in the course of their duty. This direction went out as a result of my discovery that it was not the habit to report accidents when people were using their own vehicles. The Head of the Department did not take the report of the accident seriously when the Government vehicle was not involved. Mr. Layne said that he informed the Postmaster General that he was late in getting in because of the accident. If I had to be in that Post Office, probably because I have a knowledge and acquaintance of the Law Courts, I would have asked what kind of accident it was, was anybody injured and suggest that they should forward a report.

6.05 p.m.

I may say that a statement was made at a late hour of the evening and it was not taken seriously. This was not construed to be a report. The Police said that it was not a case of any negligence and no case was brought by them, therefore a Civil case was brought. The report received by me is that they did not know. I have given instruction that all accidents must be reported within 48 hours and I called a conference as to that. Sometimes the wheels of the Civil Service grind very slowly but however, they acted quickly on this matter. Mr. Layne was willing to pay if some assistance was given to him.

On the whole question of the Government's involvement in this matter after this matter came up, I got all the accounts of the proceedings. We got the report from the Police and they said there was no evidence as to criminal negligence, therefore, it was not necessary for the Police to proceed any further in the matter. The views taken at that stage with all this evidence were given is that we wrote to Mr. Layne and asked him to come into this office.

The insurance company had paid up. I consider this a most unsatisfactory state of affairs. I have

noted that the hon. senior member for Christ Church had some discussion on this matter when he was in the Other Place. I entirely agree with the hon. member. This is a serious state of affairs in Barbados. I know the maximum which an insurance company is asked to pay is \$4,800 but I know cases in which they pay out only \$3,600, I have known several cases of which the damages were more than \$4,800 and although the insurance company was only entitled to pay up to \$4,800, it paid out more than that only because of the person's colour.

I will warn insurance companies. I will institute any amount of legal proceedings if they do not pay out more than what they are paying out now because the rates collected justify an amount more than \$4,800. An involved man can only get \$4,800. I say to keep the premiums down because in particular with public service vehicles, the rates which we have to pay are far higher than what we receive. If you did not have limitation of liabilities, a taxi driver would not be able to pay the rates.

The hon. senior member for Christ Church said that there should be no limitation on the amount which the insurance companies should pay. That is something which I do not feel myself qualified to talk on at the moment but I should also draw to the attention of the House that it is within my knowledge that they have a discretion because in some cases some insurance companies paid out sums of money far in excess of the legal limitation while in other cases some people did not get the full amount due them. I know that the amount which they pay out would not send them into bankruptcy. What is significant is that whenever they pay out more than the law stipulates, they pay it out to certain elements in the community to the detriment of the others.

Your recovery is a right on those who indemnify a man's home and property, not a court of law, therefore, in the case in which an insurance company thinks that you have no legal right to receive liability without going to court, I want to say that the whole idea of insurance is to indemnify that person, lot of people think that they have to bring a case in court in order to be indemnified, but the whole rationale of insurance is protecting a man's home and property.

In this case, the Government is not legally responsible. I feel a lot of this was because of a lot of ignorance on the whole part of the Post Office to Mr. Layne having an accident. The point is that damages were awarded through the court. You should be able to settle these matters out of court. You should be able to say, there is the insurance company and you go and get the money. I challenge insurance companies to say that they have not paid out sums of money far in excess of the legal indemnification.

It is remarkable that in every case insurance companies have paid out money in excess of what the law required, they have paid it out to a certain type of case - people not of African origin.

If hon. members on the other side can do something outwards I hope I would get their support when I introduce legislation.  
6.15 p.m.

I was very pleased when I saw that the hon. senior member for Christ Church had taken up the matter in the Other Place with one of the Senators and had drawn it to the attention of the Other Place, and I believe it was this very same case that prompted him to do that, because the award of the Court had just been made known. I do not think any hon. member will quarrel about this matter any more because our biggest enemy has been the defendant himself. The very last thing he said when we were prepared to buy the whole property and let him live in it, he went up there and overbid the Government.

Members will appreciate our position. What more can we do? Some side issue has been dragged in here about trying to get his land. The Ministry of Education was negotiating for the purchase of land for the Water Street School about a year and a half before we knew he was in a case. I did not even know it was the same person, but what happened was we have a policy now that all elementary schools should have playing fields, and when the Ministry of Education submitted this proposal to buy only the acre of land on Water Street, we were not concerned about personalities. There was some gentleman called Mr. Layne whose property bounded and abutted school property.

You are in the middle of an agricultural district and these children have no place to play. We delegated a Cabinet Minister who knew the district well, because he was a plantation owner up there himself, and we delegated him to go to Mr. Lionel Ward and find out if he would sell off part of his plantation so that we could get the additional classroom and the playing field. There is no question that the Government wanted to buy Mr. Layne's land, because we can get the price so very reasonable, and therefore this is the stage that we had reached. Now the Government is not seriously interested in Mr. Layne's property, but the Crown Solicitor called him in and told him that we wanted to help him and asked if we could do anything. He said that he would be grateful for anything we could do. As a result he got the deposit of \$3,000, and if the land were bought - this was a suggestion by the Crown Solicitor - he would then have only \$12,000 to pay. He took the matter completely out of our hands. If the Government had been brought into the case from the beginning and it had happened in our time, I am sure that the Crown Law Officers would have advised that some compromise should have been arrived at, but we could not get the Plaintiff and the Defendant on any square. We pointed out to the Plaintiff that the place would be for sale even if somebody does not buy it, anyhow the position is now that the Plaintiff has got all his money theoretically, it is not paid for in full. Mr. Layne is supposed to collect some money from his colleagues, he has three sons in the United Kingdom who promised to help him, and taking everything into consideration, I

think the Government has done the best in the circumstances to agree to pay in half the amount. He has already paid \$3,000.

I do not think that hon. members would say that the Government is acting unkindly in this matter, as a matter of fact, we started the whole investigation. We could have written him a curt letter and then we could have come in for a lot of abuse. I only thought it was my duty to explain to the House the full circumstances of this case.

Mr. ST. JOHN: Mr. Chairman, the explanation that we heard today is something completely different from what we had heard on the last occasion. As a matter of fact, on the last occasion we had two explanations, one from the Minister of Communications and Works who said a lot about unscrupulous lawyers.

Hon. N. W. BOXILL: Mr. Chairman, on a point of order, I did not say unscrupulous lawyers, I said unscrupulous people.

Mr. ST. JOHN: I am sorry, he did not say unscrupulous lawyers. The position is quite clear, and then again we had it that the hon. Minister of Health and Housing had to correct the hon. Minister of Communications, because he said it was not 1/8 of an acre and that it was 1/4 acre and it was not a dealer gift. He told us that the Government would not be paying out this and not getting back anything because we are getting an acre of land. I am speaking of what the hon. Minister said in the introduction.

Hon. C. E. TALMA: On a point of order, Sir, I will not sit here and be misquoted. I made it perfectly clear that \$5,665 was the cost agreed to in truth and in fact, but the \$2,000 was purchase price. I had spoken .....

Mr. ST. JOHN: I am saying that the hon. Minister of Communications and Works said in his explanation that the Government would be getting something because more or less the man had agreed.

Hon. N. W. BOXILL: On a point of order, I would hate to call the hon. member a stranger to the truth, but I never mentioned anything about a dealer gift. Stick to what I said, I have seen what I said already.

Mr. ST. JOHN: 1/8 an acre of land, and he said that the Crown was liable if the Crown had been sued.

Hon. N. W. BOXILL: I said they should be.

Mr. ST. JOHN: The position is quite clear. If the hon. Minister had said like the Prime Minister said today that the Government is dissatisfied with the existing insurance laws which on many occasions I have had to point out, I want to add I object to the state of affairs in this country where insurance companies are taking premiums and you have to sue them in London.

Hon. E. W. BARROW: On a point of order, I would just like to explain to the hon. member, the new Bill

is taking care of that. I objected to that before you.  
6.25 p.m.

Mr. ST. JOHN: The position is quite clear. There is no doubt that the Addendum to the Resolution has not been properly worded. The Minister of Communications and Works, in his effort to explain the matter, explained it so badly that he had to be corrected by the Hon. Minister of Health out of the tenderness of his heart, because this is one of his strong supporters who had brought this case to him before. He remembered having seen the man. However, the Prime Minister had to take it upon himself to make the corrections.

Hon. C. E. TALMA: Mr. Chairman, on a point of order. I know Mr. Layne. He is not a strong supporter of mine. He might have come to me once.

Mr. ST. JOHN: Really and truly the point which I made on the last occasion is that the facts of this case betray one of the tremendous gaps that exist in our insurance laws in Barbados. I regard this as a case in which the Government should be the whole hog. In this country if you sue an insurance company under the Fatal Accidents Act, you can only sue the company for \$4,000. I feel that the time has come when there should be an amendment to the Fatal Accidents Act, in relation to the insurance companies. I also feel that the Government should make the full contribution to Mr. Layne. Obviously, Mr. Layne is of the pathetic type. He agreed to sell his land to the Government at 20 cents a square foot with the feeling that the Government would give him an economic price for the land.

Sir GRANTLEY ADAMS: Mr. Chairman, I cannot sit here and let it appear that I voted on this Resolution on the ground that this is an *ex-gratia* payment. I am making the same point now which I made during the previous debate. If you owe a man money and he gets into trouble and wants the money and you tell him: "Six years have passed and I am not bound to pay, you cannot get it out of me in the Courts, but *ex gratia* I will give you five thousand dollars!" Could I be more dishonest and immoral than that? To say that because the statutory period of a year had passed and therefore the Crown was not liable is a misuse of words. The Crown was legally liable as soon as the accident took place, as the Court found out. I submit that the Crown should be made to pay this money, but the Crown is saying: "There is no legal liability because I was not sued in time, but as an *ex-gratia* payment I will give you \$5,000." If the Crown had been sued, the sum of \$16,000 would have come out of them. The Crown should give back the man what he has paid and pay what he owes. For the Prime Minister to say that there is no legal liability, is to hide behind the fact that there is no legal liability for payment after a year has expired. Again, the right does not die, that is in the case of a restriction in land, if six years have passed and you have paid some portion of the money you can renew the title and sue for the rest. This is mere legal detail. This is due to the fact obviously that the moral obligation is always there. If you act so as to bring yourself back within

the law by paying a portion of the money, you have the duty then to pay all. It is as simple as that. For the Crown to say that they will make this *ex-gratia* payment since four years have elapsed is something dirty for the individual and it is equally dirty on the state. How can we say that we are sheltering behind the fact that although our servant was negligent in the performance of our duty and had to pay damages, we are only giving him a bit because the time has passed? I am submitting that that is as dishonest with the State as it is with the individual.

Hon. E. W. BARROW: Mr. Chairman, I cannot sit down here and listen to the hon. member carrying on in his usual style inveighing against the Government with epithets of being dirty and that sort of thing. The hon. member is not frequently with us when we are trying to explain things so that he is physically present but mentally he is not here with us. He is in the land of dreams and oblivion. If the hon. member had been listening to me, he would have understood what I said. I have initiated that something should be done in this matter and every time Mr. Layne and Mr. Best were preventing us. The hon. member has said that we are sheltering behind the Statute of Limitations; that is not true. No case has been brought against the Government up to now. It is not my job to advise the Government to join a defendant in a case or anything like that. All practising lawyers possibly with the exception of the hon. senior member for St. Thomas, are aware that for a long time it has been established by the Government that they have to repeal the Statute of Limitations. When the hon. member talks about being dirty, I know that on the 22nd September, 1955, a little boy who had been blasting stones, got in a bus belonging to the Transport Board with a bucket of gasoline and the bus caught afire. The boy was burnt from his head to his toes and he was in hospital for a year. The only liability which the Government under the hon. member for St. Joseph had was that he introduced a debate in which there was the Statutory period of one year in which an action could be brought against any of these public Corporations. That was the Bill which the hon. member introduced in my presence and I am changing it. Far from being dirty, we have established the Crown proceedings Act, whereby the Crown can be sued.

I am sorry that the hon. senior member for St. Peter is not now here. The very first speech which I made in this House was about the necessity for establishing a Contributory Negligence Act and I was complimented by the hon. senior member for St. Peter on that speech. I pointed out in that speech that it was wrong for the Crown to have that period of Limitation and I drafted an amendment to make the period of time the same as for the ordinary citizen, which is six years. How can the hon. member then talk about being dirty and sheltering behind any Statute of Limitations when he himself brought it in and was the first person to speak on the Bill and ask hon. members to support it? That was fifteen years ago when I first came in here. We do not have to plead anything. The man wrote a letter to us and up to today he said that he would like to pay the money out of his gratuity and we said: "We do not want you to do that."  
6.35 p.m.

Mr. Layne said that he has two sons in England who want to help.

I do not know the mentality of some people who for the sake of cheap politics come in here and use a lot of filthy language.

Sir GRANTLEY ADAMS: Mr. Chairman, I take objection to that. I call on the Hon. Prime Minister to withdraw it.

Hon. E. W. BARROW: I did not say that you were using filthy language.

Sir GRANTLEY ADAMS: Those are filthy words for me. I am calling on the Hon. Prime Minister to withdraw those remarks.

Hon. E. W. BARROW: What?

Sir GRANTLEY ADAMS: Mr. Chairman, I am calling on you to rule.

Mr. CHAIRMAN: (After an enquiry) I have been advised that the Hon. Prime Minister used the words "people using filthy language." the words "filthy language" is not unparliamentary.

Sir GRANTLEY ADAMS: Mr. Chairman, you are appealing to the Clerks to advise you how to rule. You are in fact saying that you are not able to rule.

Mr. CHAIRMAN: I have a right to be advised by the Clerk. Let the hon. member take his seat.

Sir GRANTLEY ADAMS: You cannot call on me to sit down when nobody else is speaking.

Mr. CHAIRMAN: Will the Hon. Prime Minister proceed.

(Mr. Husbands rose to speak.)

Hon. E. W. BARROW: He was not yet out of hospital when the statutory time elapsed and he could not bring a case. Therefore, it could not be taken against them. That is the case.

Well, the matter was taken up and they refused to pay out any money because the statutory period elapsed before he came out of hospital. That person lost a foot and I hope that the hon. member carries that on his conscience.

The hon. member says that a man must be put in exactly the same position as a private citizen. Mr. Layne was only asking us to assist him. He says that there is only a small sum remaining and he says that he has three sons who would help him.

This is an *ex-gratia* payment and no amount of cursing and abusing us by the hon. junior member for St. Joseph is going to make it anything different. If the hon. member wants us to postpone this so as to get more to say we are not postponing it. We

look at it as nothing else but an *ex-gratia* payment. I would pay twice the amount that the House would pay if it is anything different.

All along the hon. junior member for St. Joseph claims to be the great champion of the masses until the lady was bringing a case against the Crown. He had the amount of money for workmen's compensation put at \$2,000. Today it is \$12,000 and he is trying to fool people that this is not right and that he is the champion of somebody.  
6.45 p.m.

The great champion of the masses, because they allowed one year to bring the case against the Crown and had the maximum of Workmen's Compensation to \$2,520 and when I tried to change it, every time the House was prorogued, and he is still trying to fool people who have not read the history of Barbados.

Sir GRANTLEY ADAMS: I am beginning to see that as long as you are in the Chair, anything that is said on either side which is offensive to the members of the other side, the Opposition will always have a pretty poor case.

(Hon. E. W. BARROW and Hon. J. C. TUDOR both rose.)

Sir GRANTLEY ADAMS: I do not give way to either of those hon. members.

Mr. CHAIRMAN: The hon. member for St. Lucy is on a point of privilege.

Sir GRANTLEY ADAMS: There is no such thing as a point of privilege.

Mr. CHAIRMAN: Would both hon. members sit down?

Hon. J. C. TUDOR: Mr. Chairman, the privileges of the House . . . . .

Sir GRANTLEY ADAMS: If the hon. member speaks on a point of order, I will give way, there is no such thing

Hon. J. C. TUDOR: Mr. Chairman, I am speaking on a point of privilege and I have precedence on this.

Sir GRANTLEY ADAMS: Some of the most preposterous statements have been made. Privilege is the privilege of the House.

Hon. J. C. TUDOR: Precisely.

Sir GRANTLEY ADAMS: I am not giving way, I must not be interrupted.

Mr. CHAIRMAN: This will be the last time I am going to rise.

Sir GRANTLEY ADAMS: I am objecting to the hon. member interrupting me except on a point of order, there is no such thing as a point of privilege.

Hon. J. C. TUDOR: Mr. Chairman, I have risen on a point of privilege.

Mr. CHAIRMAN: Would both hon. members sit.

Sir GRANTLEY ADAMS: In order to prevent any repetition of this, I will draw Your Honour's attention to the fact that there are four privileges attached to the House, freedom of speech, freedom from arrest and the other two. If I was talking to a little second standard boy I would not have to mention either of these four. They have forgotten what the Speaker does at the opening of the session. Keep your ignorance outside. The hon. member has attempted to mislead the House more than once on this question of privilege. Questions of privilege have precedence on all other Orders. In short, if somebody attempts to interfere with a Minister coming to the House, if a Bailiff tries to arrest a man, if you tried to prevent free speech, that is a breach of privilege of the House. A member only has to come into the House of Assembly, see the Speaker and request this privilege. Questions of privilege take precedence over the Orders of the Day, and the Hon. Leader of the House is guilty of one of two things, absolute ignorance or a wilful attempt to mislead this House. How can there be a question of privilege in the middle of a Debate. There is no such thing as privilege in the middle of a speech, and I am not going to give way if the hon. member is saying that he is speaking on a question of privilege.

Hon. E. W. BARROW: On a point of order. The hon. member is completely out of order in giving his interpretation of what the privileges of the House are. The questions of order and privilege are directly the responsibility of the Chair. I think it is unseemly and unbecoming of the hon. member because he is straining people's patience by indulging in the unseemly behaviour to which we have just been treated.

Mr. CHAIRMAN: If the hon. member could learn from people's mistakes, could I hear the hon. member who has now sat down on the Resolution?

Hon. E. W. BARROW: On a point of order. Now, Sir, now that the hon. member has made it clear on what he is speaking, I now rise on a point of order. The hon. member . . . . .

Sir GRANTLEY ADAMS: Will Your Honour allow him to interrupt like that?

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

Sir GRANTLEY ADAMS: I am rising on a point of order. I do not want to speak on the Resolution because . . . . .

Mr. CHAIRMAN: The hon. member is on a point of order, I do not think that we should continue with this type of behaviour.

Sir GRANTLEY ADAMS: Mr. Chairman, it will be your fault if it continues.

Mr. CHAIRMAN: I am asking the hon. member to sit down.

Hon. E. W. BARROW: The hon. member delivered what I consider an attack on the integrity of the Chair, and I am respectfully asking that the words be read out and that the hon. member be made to withdraw every single word, because the hon. member for St. Joseph ought to be setting an example in here in showing respect for the Chair, and every possible opportunity that the hon. member gets he does this sort of thing. I would like those words to be read out and the hon. member to be asked to withdraw those words without any qualification whatsoever because some few minutes have elapsed since these words were spoken.  
6.55 p.m.

Hon. E. W. BARROW: I do not know why the hon. member is on his feet; why is the Opposition behaving like that? I am suggesting that they be directed or ordered to sit down until these words which are impeaching the integrity of the Chair are read out.

Sir GRANTLEY ADAMS: Mr. Chairman, . . . . .

Mr. CHAIRMAN: I have already asked the Clerk to get the words complained of, and I am not allowing any further speech until that takes place. Will the hon. member take his seat?

Sir GRANTLEY ADAMS: Most certainly not. You have to make a check . . . . .

Mr. CHAIRMAN: I have asked the hon. member to take his seat.

Sir GRANTLEY ADAMS: Look at the Standing Order. (ASIDES) The Standing Order says . . . . .

Mr. CHAIRMAN: Until I get the words which have been complained of, I am not allowing any hon. member to make any speech.

Sir GRANTLEY ADAMS: By what authority?

Mr. CHAIRMAN: I repeat I am not allowing any speech to be made until I have these words complained of, and if the hon. member persists . . . . .

Mr. ST. JOHN: Mr. Chairman, on a point of order, (ASIDES)

Mr. HUSBANDS: Mr. Chairman, under the Standing Orders of this House . . . . .

Mr. CHAIRMAN: I have already said that I am not hearing any more speeches until these words have been reported. I will read Standing Order 36 for the benefit of hon. members. This is what it says:-

"The Speaker or the Chairman, after having called the attention of the House or of the Committee to the conduct of a Member who persists in irrelevance or tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech." (A MEMBER: Read Paragraph 2)

Mr. CHAIRMAN: Paragraph 2 says this:-

"The Speaker or the Chairman shall order Members whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting, and the Marshal shall act on such orders as he may receive from the Chair in pursuance of this Order. But if, on any occasion, the Speaker or the Chairman deems that his powers under the previous provisions of this Order are inadequate, he may name such Member or Members, in which even the same procedure shall be followed as is prescribed in paragraphs 3, 4, 5 and 6 of this Order."

I honestly would not like to do that and I am appealing to hon. members to behave themselves in a more dignified manner, otherwise the Standing Orders are here to be applied. I ask hon. members therefore to allow the dignity of this House to be upheld.

Sir GRANTLEY ADAMS: You called on me to resume my speech and the hon. member interrupted.

Mr. ST. JOHN: Mr. Chairman, Standing Order 35 of the Standing Orders of this House says this . . .

Mr. CHAIRMAN: I am not hearing you.

Mr. ST. JOHN: You have no authority to do that. Can you rule in a vacuum?

Mr. CHAIRMAN: I have already ruled.

Hon. N. W. BOXILL: Mr. Chairman, if the hon. member persists in his behaviour, you can rule him out of the Chamber.

Mr. ST. JOHN: Mr. Chairman, I am speaking on a point of order and you have to listen to me. Under Standing Order 35 of the Standing Orders of this House, the Speaker in the House or the Chairman . . . . .

Mr. CHAIRMAN: If the hon. member continues in that way I will have no alternative than to order him to withdraw from the House.

Sir GRANTLEY ADAMS: We are entitled to speak.

Mr. CHAIRMAN: Will both hon. members take their seats?

(Sir GRANTLEY ADAMS and Mr. ST. JOHN took their seats).

Mr. ST. JOHN: Mr. Chairman, I am drawing your attention to Standing Order 35 of the Standing Orders of this House. That Standing Order says this:-

"The Speaker in the House or the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively, and his decision upon any point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive motion. Notwithstanding anything in Standing Order No. 20 (Manner of giving Notices), such a motion shall not require more than two days' notice."

After the Hon. Leader of the Opposition had spoken, an objection was made over there.

Mr. CHAIRMAN: I have already asked that His Honour the Speaker be called.

Mr. ST. JOHN: You have called on the hon. member to resume his speech. That decision is final and cannot be interrupted unless there is a substantive motion from the other side. If these words have any meaning, then the hon. member should continue to speak.

Mr. J. M. G. M. ADAMS: Mr. Chairman, what is the business before the House at the moment?

Sir GRANTLEY ADAMS: Would it not be more appropriate, Mr. Chairman, to call on the Hon. Leader of the House to help you rather than on the Acting Clerk of the House? After all of these years in the House, must I sit down under this sort of thing?

Mr. CHAIRMAN: The words complained of as reported to me are as follows:-

"Some of the preposterous statements have been made by those members on the other side and there is no such thing as a point of privilege." (A MEMBER: Those are not the words).

Mr. MOTTLEY: That is a joke.

Sir GRANTLEY ADAMS: On a point of order. 7.05 p.m.

Mr. CHAIRMAN: That is the report that has been handed to me. I would be grateful to hon. members if they can assist.

Hon. J. C. TUDOR: Mr. Chairman, I rise on a point of privilege.

Sir GRANTLEY ADAMS: That is not a point of privilege. Privilege is privilege of the House. The hon. member is trying to mislead the House. He has done so on more than one occasion.

Hon. J. C. TUDOR: I do not think you can have a point of time. What I certainly complain of is this.

I do not know if it is a point of privilege. The point I rose to complain about is that the Hon. Leader of the Opposition started an attack on the Chair. There is nothing which I can see that I can speak on except a point of privilege to object to that. I only wanted to ask hon. members not to forget the degree of impartiality of the Chair, and the hon. member should know better.

Mr. CHAIRMAN: In the absence of the correct words, I am going to ask the Hon. Leader of the Opposition to continue his speech.

Sir GRANTLEY ADAMS: Sir, the Hon. Prime Minister should know better than that.

Mr. CHAIRMAN: I call on the Hon. Leader of the Opposition to stick to the point.

Sir GRANTLEY ADAMS: Mr. Chairman, please do not correct me when I am not wrong. You asked me to speak on the Resolution.

Mr. CHAIRMAN: I have.

Sir GRANTLEY ADAMS: The Hon. Prime Minister made great play of the fact that the Crown was not sued. I said what can stop a man who owes you money from saying that he is going to pay you? The fact was told us that the Crown was not sued but that is nothing to prevent the Crown from being sued and I object to the interruptions by the hon. member. You cannot make a speech without bringing in some low reference. Who said that the Crown was sued and they applied the Statute of Limitation?

Hon. E. W. BARROW: Mr. Chairman, I rise on a point of order.

Sir GRANTLEY ADAMS: Why has he interrupted me?

Hon. E. W. BARROW: The hon. member said that I cannot make a speech and went on to make some reference about low reference.

Sir GRANTLEY ADAMS: I will remind the hon. member of a low reference which he made when he said that he would prefer to go into a man's house than to come in the House of Assembly.

Hon. E. W. BARROW: Have I made such a statement? I definitely did not say that. I will ask the hon. member to point to any resolution to which any reference was made of the statement to which he has referred. If the hon. member said that I made that reference, I will ask the hon. member to be relevant.

(A VOICE: Deny that you said so.)

Sir GRANTLEY ADAMS: He is speaking of the House of Assembly on the lowest possible terms.

(A VOICE: Despite people talking of high morals, in the evening of their days.)

Sir GRANTLEY ADAMS: Whatever the hon. junior member for St. Thomas may do or may not do, I challenge the hon. member to go outside of this House and repeat what he has just said.

Mr. CHAIRMAN: I ask the hon. member to speak on the Resolution.

Sir GRANTLEY ADAMS: But when references are made, you only seem to look at us.

Mr. CHAIRMAN: Is the hon. member saying that I am biased? If so, I will ask you to withdraw that remark.

I appeal to the hon. member to get on with the Resolution. This Resolution should have been passed already.

Sir GRANTLEY ADAMS: What did I say, except to say, that the Act to provide enough can be brought down by the Government. Then the hon. member says that I said that I am champion of the masses. I do not mind that. I do not agree to this, I would like to know the name of the incident. He did not say when the Act was passed. If you allow a man to go in for six years, you cannot sue him. You copy what is in the English Act. That is in your statute of Limitations.  
7.15 p.m.

I have never heard of what he is talking about. September 1955 I was in a bed in the General Hospital with arthritis, but if personal reference is coming into play now, it does not get us anywhere and the hon. member might do well to remember that the great ones are falling, Nkrumah, Bradshaw is falling now. What is the point of saying you introduce a law, I do not remember anything of the sort. You have some sort of limitation, how would you feel for the police to prosecute you for stealing a mango when you were 8 years old, there must be some limitation, I am now saying there must be a time that a case should be brought to the law courts, that is the basis of these limitations.

The only point I am making, and I am asking hon. members opposite who are listening with an open mind, I mean open mind in the sense that they are listening to whatever arguments are brought forward here on their merit, whether they do not consider that the Crown should act no less decently than a private person would. This has lasted so long that it would not hurt the least bit for it to be postponed for reconsideration by the Cabinet. In time they will see that the Opposition was right, but it has not been unknown that the people have got double from a revolution, a revolution inside, when you can hear it no longer to have a Prime Minister who comes in here with this sort of thing, after the so-called self-rule,

to continue to jump up after that to try to stop me and mislead us. It is the sort of thing that time is longer than rope. Time will bring this House again to orderly debate, and a proper regard for the Standing Orders among which is the Order that members must not interrupt when members are speaking, even the member for St. Thomas would come to the stage of obeying that.

Mr. Chairman, again I say, and this is my last sentence, you would not do in your personal life what you are being asked to do in your political life. Do not do it.

Mr. J. M. G. M. ADAMS: Mr. Chairman, I did not intend to contribute to this debate because there are persons on my side of the House better qualified because they have a greater knowledge of the facts to talk. There are persons on the other side of the House who are ready with not one or two, but three explanations why this Resolution should be passed, but nevertheless like any other member I have followed the course of the debate with interest and I have followed Your Honour's ruling with respect, which is more than can be said for the hon. senior member for St. John, the Prime Minister conducting the business of this Hon. House, a casual purveyor of filth in which he has become at this stage of the evening. I remember a remark had to be made on the Prime Minister.

Hon. E. W. BARROW: Mr. Chairman, on a point of order, I understand that the hon. member has made some reference to me as being a casual purveyor of filth, and I would ask the hon. member to withdraw those remarks. When he came into the House, when he finished working for the British Government after an absence of ten years, he would know to what I am referring, in a role which has been difficult for him in the United Kingdom.

Mr. CHAIRMAN: Words were complained of, and I am asking the hon. senior member for St. Thomas to withdraw the words complained of.

Mr. J. M. G. M. ADAMS: Mr. Chairman, I am withdrawing the words. The reason that I used them was that the Prime Minister used filthy remarks freely and he did not have to withdraw them.

Hon. E. W. BARROW: On a point of order, the statement which you ruled on, I said that people who use filthy remarks - the hon. member said the senior member for St. John has become a purveyor of filthy language and you have asked him to withdraw them.

Mr. J. M. G. M. ADAMS: Mr. Chairman, I have withdrawn them, and I am not even replacing them with anything like people who use filthy language. I only remember that it had to be said of the Prime Minister when he shows all the tantrums of an abandoned child.

7.25 p.m.

I understand the Prime Minister's obsession about fatherhood. I had the advantage that I grew up with a

father who could guide me and whom I could respect; and as to the remark about the Prime Minister's step-son, let them repeat those remarks outside the House with any implication whatsoever, and the Prime Minister would put his hands into his pocket and find \$7,000. In fact, he would not have to look to see into whose pockets he would put his hands. I am not suggesting this to any member of the House. If the hon. member thinks that the hon. junior member for St. Joseph or myself or anybody who is connected with us has in any way used those remarks which they would use, that shows exactly into what yard or which gutter you prefer to be sinking. If the hon. member thinks that any of us is afraid of challenging those remarks, let him repeat them outside. When future generations look back to the House of Assembly during this period, people will only wonder how a man could be Prime Minister and could make the intervention which he has made during the earlier stage of this debate. I cannot use the word negligence.

Mr. CHAIRMAN: I would like the hon. member to continue with the debate on this Resolution. What he is now saying is no part of the debate. I honestly would like hon. members to confine themselves to the debate.

Sir GRANTLEY ADAMS: All of this the Prime Minister brought out.

Mr. J. M. G. M. ADAMS: Mr. Chairman, I am obliged to you. The Prime Minister has made some remarks about the lawyers but I missed the point. However, on the question of an ex-gratia payment and legal liability, I do not want to misquote the Prime Minister and I will just state what I am going to speak about. I am fairly sure that I heard the Prime Minister say that the first speech he made in this House was in connection with the Contributory Negligence Act. He made some reference to that but I want to be absolutely sure. I do not want to misquote the Prime Minister but I am so certain of what I heard him say. In any circumstances, I would not like to get it wrong. The Prime Minister was talking about the law relating to contributory negligence and he said that the period was a year then and the hon. senior member for St. Peter had to congratulate him on his speech, and the hon. senior member for St. Joseph was in the House at the same time. That is symptomatic of the Prime Minister's lapses of memory. This limitation of one year was in force before the Crown Proceedings Act. That Act was passed before the Crown Proceedings Act, and they were all passed several years after the Prime Minister entered the House. Therefore the Prime Minister's memory seems to betray him. When the Limitation Act was passed, you could not sue the Crown. The Prime Minister has built up a speech on the limitations of the Crown, and he has based his arguments on known facts. We know how to look at the Prime Minister's attitude in these circumstances.

I much regret that I did not hear the Prime Minister's point of order because that would have given me some guidance in the framing of my speech. I heard him say something about "inimical". I am al-

ways fascinated by these asides; there is nothing which I enjoy more than hearing the things of the past which the Prime Minister and his stool pigeons so frequently provide. I heard the Prime Minister once say that he was going to write a biography of the Hon. Leader of the Opposition based only upon speeches made by the Hon. Leader of the Opposition; I would like to say that sometimes I would like to write an autobiography based only on what the Prime Minister has said or suggested or implied about me. That would have to be fiction, of course.

I was listening to the course of the debate; it ebbed one way and flowed the other. The Prime Minister explained that Mr. Layne did not get \$11,000 because he was ignorant; but I think that he was a person with some semblance of the dignity with which one would expect the Prime Minister to put forward an argument which had some force in it. The Government had not been sued and therefore Mr. Layne should get his money. I am not interested in whom Mr. Layne voted for; I am interested in the arguments which go on in here. I heard the Prime Minister in the Insurance Debate. Apparently, it is a part of the necessity of introducing a Bill dealing with the insurance of public property to commence on the —

Mr. CHAIRMAN: Is that a Bill which has been passed by this House?

Mr. J. M. G. M. ADAMS: I recall the passage of the Bill in Committee and I gather that you are inviting me not to comment on that Bill.  
7.35 p.m.

The Hon. Prime Minister with the greatest ease and capacity for irrelevance comes in the House and makes comments on filthy language as well as the hon. senior member for St. Thomas in his comments on the lawyers comments on something.

At least, we have had a collection of accusations against the lawyers who appeared in the case Mr. Layne was defending. So that part, I can only take up the provocations. If the Hon. Prime Minister urged this and when they urge this he is not satisfied and produces that rational way - I do not refer to his arguments, I refer to his conduct - he must understand that this Resolution would take a long time.

We heard all sorts of abuse on a Resolution to give a man money - the money which he was asked to pay in a Court of law. He was doing the Government's business. He was out in the course of his business for the Government. What happened? The Government was not sued at all. They stuck to the Statute of Limitations. We do not think that is good enough.

We have heard the argument of some land. Mr. Layne's sons may have said that they are going to help him. It is merely right if he is getting anything that he should get all. What do we hear? He has sons in England; land at Newton Plantation; get the Minister who is on good terms with the plantocracy to see about it.

With all the lot of arguments that have been put forward, there is one simple question to be asked and considered. Was this man doing the Government's business, and in the course of doing the Government's business, did this accident happen? We know that \$16,000 in damages was awarded the person who was injured therefore, let them pay that amount except what the Insurance Company has paid. It could happen to anybody else.

We have heard all this argument about Mr. Layne out-bidding the Government and all that kind of thing. The man has to pay damages of \$16,000.

Three separate Ministers have come in here and given three separate explanations. How Mr. Layne can possibly be blamed if he was confused? I do not know if the files were not available to the Hon. Minister. We have heard from the Hon. Minister that he petitioned the Prime Minister. We saw the Hon. Minister of Health. He says he was a confused man. Now, he has to pay \$16,000 for his confusion. Let the Government pay the damages. That is our argument.

Mr. HUSBANDS: Mr. Chairman, the hon. member who has just sat down said, let the Government pay the damages. I would say this. So far, the members who have spoken on this Resolution are hon. and learned men who are supposed to know the law and I do not want this debate to end without my making a contribution as a layman.

The Hon. Prime Minister has pointed out - and I could not agree with him more - that the time has come when something should be done more than what is done now, in that Insurance Companies in Barbados should be made not to discriminate on matters of this sort. He went on to say that some cases are treated differently from others because they affect men who are not of the negro race, I am saying that something must be done about that.

This man, apparently because he did not know that he should have attached the Crown and sued the Government in time, did not do so. With a man of such means as we have heard about, he could not be expected to know the law. We are apprised of the fact that there is a limitation period from which he can get something from the Government. The period of time passed. I regret that very much indeed.

The Hon. Prime Minister on the other side and the Hon. Leader of the Opposition on this side were engaged in a lot of argument on this matter, the hon. Prime Minister saying that he would examine the law on the limitation period and let it remain for one year. We thank the hon. senior member for St. Thomas because he enlightened the Committee when he said how long was this Statute of the Limitations period. That is why we sit down and listen to these lawyers. However, I would say this, when it comes to law, no man can be blamed for the opinion which he holds.

I see from the Resolution that this man was in the course of the Government Business when this

incident happened. The Government now is in a privileged position. No one can deny that. The Hon. Prime Minister has given us the assurance that soon from now he is going to see to it - if he has to do it by legislation - that insurance companies raise the maximum award to a more reasonable figure. Now the injured man lost a foot in the process. 7.45 p.m.

I must agree with members who spoke before me that the Addendum to this Resolution is not very informative. He knew nothing about it for four years. and the four years - about that he said that the Postmistress made some casual enquiry, made a statement that this particular Postman said he was in an accident.

If the Prime Minister realised that something can be done and something should be done for future similar cases, why cannot we postpone this Resolution tonight for a further period until that legislation can come before us and let us approve of it and let that legislation be made retroactive, what is wrong with that? Am I a fool to say that or it is nonsense because I am not a lawyer. That is the position. We are asked to vote \$5,665 and Mr. Chairman, Sir, this is to make up something. I am not going back into the legal intricacies of this case. Now, here is a man, irrespective of how well his family has treated him, the man in the course of his duty as a Postman, met with an injury, the man was sued, the insurance company gave according to what they called their limit, what the Prime Minister told us is a discriminatory matter, the man's property was put up for sale. None of these things we would not know, they are not in the addendum, maybe it might not have been in the Addendum. I am moving for a further postponement of this with a challenge to the Hon. Prime Minister that legislation be brought in and made retroactive in order that this unfortunate man may be better provided for than to the extent of \$5,665.

I am not going to say the hon. Prime Minister was talking cheap or through his hat when he said that the insurance company was discriminating and they should be called upon to do more and he hoped that when he brought down that legislation we on the Opposition side would not forestall it, and in my seat I cheered his remarks there and then, and am prepared to cheer them again when he brings down the legislation and I am in my place. Why the hurry? I understand that the man made some agreement to pay this in instalments.

I am saying this now, and this is the sum total of what I had to say from the beginning, that since certain assurances have been given us from the Government - I am not going into the cross-question of explanations by Ministers - no man is perfect, we on this side of the House can wait until the Prime Minister puts what he says to the test, bring down this legislation, extend the limitation period of one year, amend the law - our laws are not the laws of the Medes and Persians - any laws made in here can be amended by members of this Chamber, there-

fore let us wait, and I say this, not as a Lawyer have I spoken, but as a layman who believes in Christ, because under the law all of us do fall short, and it is only Christ that can help those men to a great extent. Now if the law says he could not proceed with the law suit after one year, that is law, period. You cannot proceed. What can you do? We can do more than that, because all human beings are not binding by the same hard laws, any we make we can amend them. That is a challenge to ourselves and I formally move in Committee that this matter be postponed for three months.

7.55 p.m.

Mr. HINDS: Mr. Chairman, I rise to second the motion for the postponement of the further consideration of this Resolution. In doing so, I shall say this: I have been sitting here for some time and I have listened to much that has been said, and at one stage I feel that I am within my right to say that it appears to me that Mr. Layne happened to find himself being down on the canvass and is being hit by the Government while he is down. On another occasion when I heard, as I heard today, the explanation given as to the reasons for this matter being before this House as given by the Hon. Prime Minister, I have to wonder if the Hon. Ministers who spoke before him were apprised of or armed with the information which the Prime Minister has given to the House today. All along we have heard all the legal terms, the legal applications and the legal technicalities explained to us in respect of this matter and it therefore remains that Mr. Layne is either entitled to something from the Government or he is entitled to nothing. We, on this side of the House, are saying that if the Government finds itself accepting in any measure that Mr. Layne is entitled to something from the Government, it should give Mr. Layne every penny that is due and owing to him to satisfy the debt.

We have not heard any convincing argument to satisfy us as to why the Government has set out to pay one-half of what Mr. Layne now finds himself owing. It may be true that Mr. Layne has sons in England. I understand that one goodly lawyer, who is supposed to have fought Mr. Layne's case or to put it before the Court, after the judgment was entered against Mr. Layne, was bold enough to say that Mr. Layne has enough property that he could satisfy the Government. I understand that Mr. Layne, a postman, was delivering letters when he became involved in an accident in which another man lost one of his feet. You will remember that the Prime Minister told us that police were unable to get evidence to support the bringing of a charge in this matter. Nevertheless with a man losing one of his feet -

Hon. N. W. BOXILL: Mr. Chairman, on a point of order. As far as we, on this side know, nobody in that accident lost any foot or any member for that matter. I would not like the hon. member to get the impression that somebody lost a foot. That is not true.

Mr. HUSBANDS: Mr. Chairman, I remember including that in my speech. That was the information which I gathered, that some man lost a foot. I have been so informed.

Hon. E. W. BARROW: Will the hon. member say who informed him? Because if a man lost his foot, he lost it after the damages were awarded in this case. Dr. Leacock gave evidence in this case and he said that on the day on which he was giving evidence, he saw the plaintiff that same day and he was walking with difficulty and would have some pain. At no stage of the medical report was there any amputation involved in this matter. It is not that this is relevant to the amount which we are asked to vote, but we will not have this misconstruction on the record that a man lost his foot.

The hon. member also seems to be under the impression that Mr. Layne was the victim of the accident; but it was not Mr. Layne. The victim of the accident was Mr. Best. The damages were awarded on the basis that the man would be unable to drive a lorry at Newton Plantation, and his present condition is that he has both of his legs. He can walk but he cannot drive a lorry and therefore he has been deprived of the ordinary pursuit of the course of his employment.

Mr. HUSBANDS: Mr. Chairman, I had no intention of mis-leading the House. I said what I gathered from what was reported to me. If in the course of my speech it is reported that a man lost one of his feet, it was so reported to me. I do not have to say anything as to who had evidence or to disclose who said it to me.

Hon. E. W. BARROW: Whoever told the hon. member that, was not only mis-leading him but he was telling a lie. Was he a yard fowl?

Mr. HUSBANDS: Mr. Chairman, as to the inelegant language which the hon. member likes to indulge in, I hope that the time will come when he will not be able to continue to use such language.

Mr. HINDS: Mr. Chairman, I am indeed thankful to the Prime Minister for the information which he has given. The man did not lose a foot, but he suffered internal injury.  
8.05 p.m.

In this matter, the Hon. Prime Minister told us that for the Government to give Mr. Layne some assistance, the matter had to be brought as it has been, that is, that this money is an *ex-gratia* payment. However, what we are saying is that from the information which has been given to this House, we are satisfied that as soon as Mr. Layne is going to part with some of his property to the Government - he would get this money.

Hon. E. W. BARROW: I was accused of talking too long. I said that before the Government knew anything Mr. Layne said he went to the Crown Solicitor

and offered to sell some of his land and we said that we were not interested in his property. We were not interested in securing two or three acres at Newton but then Mr. Layne thought that if the Government came to his aid, he would sell the Government land. We said that we were not interested in his land. He said he was trying to pay the money. He had paid some already and \$9,500 remained. Of that, he was trying to pay \$3,000 on the fourth May. The \$5,000 which we are asking the House to agree to would more than satisfy the whole debt.

Mr. Layne is due to retire this year and will be getting a pension of \$100.00. It was not a question of buying land from Mr. Layne. The hon. member does not seem to understand.

Mr. HINDS: Mr. Chairman, undoubtedly, we have seen here that the Hon. Prime Minister would do the House a good turn if he briefed his Ministers before they come in here. I am sure the Hon. Minister of Communication told this House that one eighth of an acre of land had been offered in return for this money. The Hon. Minister of Social Services told us one-quarter acre.

Hon. N. W. BOXILL: I deny that we are paying Mr. Layne \$5,000 for any quarter acre of land. I said that Mr. Layne's reason for wanting to sell land was a matter which was brought to our attention. I never said that Mr. Layne was being granted the money in return for selling the Government a piece of his land. I have seen the Minutes.

Mr. ST. JOHN: I am saying that the Minister said emphatically that this \$5,000 was given in return for one-eighth acre of land. He did not think the Government was getting enough. The Government had more or less agreed to a deal.

Hon. E. W. BARROW: Whatever was said that is not what I have seen. The money which we are asking for has nothing to do with any land belonging to Mr. Layne. If subsequently, the Government has to buy one-quarter acre of Mr. Layne's property, we would assist him further. However, we are not really interested in any one-eighth acre or one-quarter acre of land from Mr. Layne. I repeat, no part of this money is asked for to assist in any purchase of land. Neither is it that we have entered into any contract to buy land from Mr. Layne.

We have had to bring this under this particular Head because there is provision in the Estimates for *ex-gratia* payment. We would have to introduce a new head, if we follow the hon. member.

Hon. C. E. TALMA: I have been referred to by the hon. member when I spoke on the last occasion, they had already agreed to postpone it. I said that the \$5,500 was an *ex-gratia* payment. Negotiation was still going on about the land but that was not before the House. What was before the House was this \$5,500 as *ex-gratia* payment.

The hon. member is saying that this is not *ex-gratia* payment, it is buying land. This was given in order to assist Mr. Layne. Probably I spoke too late; that is all.

Mr. HUSBANDS: The hon. member said that hon. members on this side spoke. I have not even made any reference to any land at all. I understand that the hon. Prime Minister has assured this Committee that this \$5,500 has nothing to do with any buying of land. I want it recorded that postponement was not on that question at all; it is that Mr. Layne has no right paying any sum at all. These things have no right being mixed up.

Mr. HINDS: It has been expressed by the Hon. Prime Minister that this sum of money has nothing at all to do with buying any land from Mr. Layne.

Hon. E. W. BARROW: Suppose even Mr. Layne comes and say that I would give you land, I would not take it at all. He came to us and told us that he would be grateful to the Prime Minister if we helped him in paying the damages. It is a fact that this money has nothing at all to do with the buying of any land. 8.15 p.m.

Mr. HINDS: Mr. Chairman, I was saying that we also accept that the term *ex-gratia* is used for the sake of convenience, not in truth and in fact. It is used for convenience, it is not an *ex-gratia* payment in truth and in fact, but what we want to say is this, we are asking the Government if they are satisfied that they are morally indebted to Mr. Layne, by all means if it is \$11,000 or thereabout, we promise from this side of the House to give all the support we possibly can, we will give all the support we possibly can, if the Government will accept to pay the man the money that is now due and owing by Mr. Layne. I think I followed the Prime Minister carefully enough to understand that after the amount asked for in this Resolution - \$5,665 - is paid that there is still an amount that hangs over the property of Mr. Layne and Mr. Layne might find himself having to sell or part with his property to satisfy this debt. We are asking the Government not to treat Mr. Layne in this way, and from what I have gathered, I am glad that we can speak in this way about the matter, especially when we understand that Mr. Layne was definitely not a supporter of the Barbados Labour Party in Christ Church, but Sir, what we are concerning ourselves with is this. There are no two ways about it, we agree that time has elapsed, it is perhaps at the very last hour that the Prime Minister and the Minister of Education came into this matter, by an accident, and what had happened, they were trying to negotiate for land to provide playing field for the school at Water Street.

Whatever the circumstances are, we are satisfied that the Government has come around to the point of seeing this, that they failed, that they owe Mr. Layne something. It has not been ruled out that he was the Government's servant at the time the accident occurred. We are satisfied that Mr. Layne did

not receive the best legal advice at the time when he set out, or if he did receive it, he did not act on it. All we are concerned with is this, that the Government should consider that they owe Mr. Layne, they feel at this stage they should take some part in this matter, it is a matter involving some \$16,000, but as there is now \$11,000 we are asking Government to postpone this matter and to come back after giving further consideration to pay the rest or the remainder of the debt that is now outstanding against Mr. Layne. We would like it to be said that this House has done something in a matter of this sort, so that the debt will be satisfied and we will know that the last straw, the last stick or the last cane hole or square foot of land that was owned by Mr. Layne did not go from him, that his effort to satisfy this debt despite the fact that the Government played some part. We feel the Government can go the whole journey now and we are pledging our support from this side, so that the Government will have no fear, no worries, no headaches, they can just postpone this matter and come back with it and rest assured that we will give full support in a matter of this sort.

Mr. ST. JOHN: Mr. Chairman, Sir, I must get up to reply because they have some people who come in here, make statements on the most important things, and then when they find themselves in difficulty, attempt to insinuate that they only made those statements - I am repeating that the hon. Minister of Communications and Works said on the last occasion in this Chamber that hon. members must remember that this \$5,300 odd that the Government will be getting something in return. He said that Mr. Layne has 1/8 of an acre of land and that he has more or less agreed to transfer it to the Government. It was at that stage that I got up and said that the Resolution was a dishonest Resolution because from the explanations given by the hon. Minister of Communications and Works, this Resolution was in fact the transfer of 1/8 of an acre of land for \$5,300, so do not come in here and deny that it was never said.

It was presented in an incompetent manner and I am not mincing any words now, at this stage of the debate I suggested clearly that the Resolution was fraudulent and dishonest, the hon. minister of Health got up and said that it was not a question of 1/8 of an acre of land, he said that 1/4 of an acre of land was offered by Mr. Layne to the Government at 20¢ per square foot. Let him deny that fact, and that this was Mr. Layne's price, and again we said on this side that clearly this transaction could not have been a gift if both the hon. Ministers who spoke on the Government side were accepting the payment of this money for the transfer of land.

Hon. C. E. TALMA: On a point of order, did I not explain that the \$5,665 which is included in the Resolution and which is really the substance of the Resolution was *ex-gratia* in truth and in fact? I gave you too much information.

Mr. ST. JOHN: The hon. member said on one hand it was an *ex-gratia* payment and that on the

other hand he was saying that 1/4 of an acre of land was being bought at 20¢ per square foot. Those were Mr. Layne's prices.

Hon. C. E. TALMA: On a point of order. I quoted two separate and distinct figures, \$5,665 *ex-gratia* out and out, and then I went on and gave a lot of information from the file of the negotiations of a parcel of land, 1/4 of an acre. Two separate figures, it was too late then, you had agreed on the postponement.

Mr. ST. JOHN: It was too late, I agree, to undo the damage caused by the hon. Minister who spoke first, because he had already tied in the minds of members, he had already tied the minds that a dealer gift was involved. Deny that.

Hon. N. W. BOXILL: Mr. Chairman, on a point of order. I know what I said, I do not drink rum to that extent, and I will prove to him that I never said anything about a dealer gift. I was asked here how we knew about the case and I mentioned about the man trying to sell the land and we discovered that the land could not be sold because he had the case against him.

8.25 p.m.

As you know, Mr. Chairman, the hon. senior member for Christ Church has already challenged the veracity of the Minutes in here and I suppose, when he sees this, he will challenge it too.

Mr. ST. JOHN: I must challenge the veracity of the Minutes when the Standing Orders are to the effect that no hon. member is entitled to read any speech except his own. The Hon. Minister has said that hon. members must not think that the Government would not be getting anything because the man has agreed to transfer his quarter-of-an-acre of land. The Hon. Minister spoke first and that is where the whole thing arose. The position is that we, on this side of the House, find it extremely difficult in getting three completely different explanations in this matter. I want to know this; why has the Government said categorically that they are rejecting Mr. Layne's offer? Simultaneously with this money being paid out, negotiations are still going on with respect to the purchase of Mr. Layne's land. Nobody is saying that the Government is not going to buy Mr. Layne's land and I do not say that no contract has been entered into. According to the Minister of Communications and Works, Mr. Layne has made an offer to the Government and they have not said that the Government has not accepted it. I accept that no formal contract has been entered into. A quarter acre of land is in the vicinity of 11,000 square feet, I want to know whether a contract has been entered into or not.

Hon. C. E. TALMA: Mr. Chairman, the hon. member has no idea of the machinery of Government. The Government has its Crown Solicitor who sees after the negotiations. I cannot tell how far the negotiations have gone.

Hon. E. W. BARROW: I have explained that the Resolution has nothing to do with the property of Mr.

Layne. I further said that we intend to abandon a part of the purchase of Newton Plantation, but that is nothing to do with the *ex-gratia* payment. The Ministry of Education has expressed an interest in this land. Mr. Layne made a proposal to sell his land; he knew nothing about the negotiations in respect of Newton Plantation. Mr. Layne said that he would pay this money out of his gratuity or pension, but we said that we would rather come to the House for this money. Mr. Layne paid a deposit of \$3,000 and the balance of less than \$3,000 which he assured the Crown Solicitor he could get. This may not be coming out of his pocket at all.

Mr. ST. JOHN: I see that the Hon. Prime Minister has made it clear that the Government still wants to buy the land.

Hon. E. W. BARROW: I said that about five years ago Mr. Layne came out with a proposal and we said that we should make sure that he paid for the land himself. It would not be correct for me to say that we had offered to assist the situation by abandoning part of Newton Plantation which we proposed to buy and add to his piece of land. We could do so if we wanted to do so but we would not be under any obligation. We are prepared to do so if necessary. The original proposal was that we would build a classroom on his property.

*The question that the further consideration of this Resolution be postponed was put and resolved in the negative, the Committee dividing as follows:-*

AYES: Messrs. HINDS, CRAIG, J. M. G. M. ADAMS, HUSBANDS, ST. JOHN, and Sir GRANTLEY ADAMS - 6.

NOES: Hon'bles J. C. TUDOR, E. W. BARROW, N. W. BOXILL, C. E. TALMA, Messrs LOWE, SPRINGER, CORBIN, WEEKES and HOPPIN - 9.

*The question that this Resolution do now pass was put and resolved in the affirmative, the CHAIRMAN declaring that the "Ayes" have it.*

8.35 p.m.

Hon. J. C. TUDOR: Mr. Chairman, actually it is only a head which has just been passed. There is another Head under the same Resolution.

Mr. CHAIRMAN: The question is that Head 16 stand part. Hon. members who are of that opinion will please say "Aye"; those against it will please say "No". I think the "Ayes" have it.

## HEAD 23 - MINISTRY OF HOME AFFAIRS

*Head 23 - Ministry of Home Affairs - was called.*

Hon. J. C. TUDOR: Mr. Chairman, this is a question of Supplementary provision being made for the payment of \$285 due to each of three official Reports of the House of Assembly for attending and taking evidence at the recent hearing of six (6) General Assembly election petitions in the Supreme Court, in accordance with Section 10 (1) and (3) of the Election Controversies Act, 1958-57.

I now beg to move that Head 23 stand part.

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

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

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that this Resolution for the sum of \$6,520 do now pass.

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

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

#### SUPPLEMENTARY ESTIMATE 1967-68 No. 3

Hon. J. C. TUDOR: Mr. Chairman, the next Resolution is a question of Supplementary Provision for Ex-gratia payments for Compensation. The sum required is \$5,310.

P.C. No. 340 Anderson Ashby was feloniously maimed when he went to execute a search warrant at a residence in Magazine Lane, and, in addition to other injuries, had his left hand completely amputated at the wrist, and lost the use of his right middle finger on account of an incised wound thereto. This amount is to meet the payment to him of compensation for the injuries received.

I beg to move that this Resolution do now pass.

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

Sir GRANTLEY ADAMS: Mr. Chairman, I would like to ask the hon. member how this sum was arrived at because it seems to us on this side of the House to be a miserably small sum of money for the amount of this man's injuries.

Hon. E. W. BARROW: Under the Workmen's Compensation Act, there is now a maximum amount of \$12,000 for total disablement. Under the Government which the hon. junior member for St. Joseph was the Leader, during that time the total amount for total disablement was \$2,500. Under the Act you can see the percentage to be paid for these things. There are all set out in the Schedule of the Act.

The loss sustained was loss of the left hand at the wrist including an additional injury to his right hand. I may say that this Police Constable has been sent away. The Government is seeing to it that he gets treatment so that he will be able to use the latest modern artificial arm. He would be retained in the Service at the full salary which he is getting.

We have no authority to pay out any more money than what is set out in the Act. The Government has no authority to pay more out to its employees than what is set out in the Act.

Sir GRANTLEY ADAMS: It is not a question of the legal amount. It is a question of whether this man with such tremendous injuries should be given more. This House has the authority to say what it

should be. I go further, whatever the Statute may say, we have the authority to change any Statute. We say that we do not think this amount is good enough. If it is necessary to change the Act, we can have it changed. This is a miserably small sum for such tremendous injuries.

The accusation was made that the amount was put at \$2,000 and the present Government has increased it to \$12,000. Is the Government satisfied that this amount is the basic because the Hon. Prime Minister said that it was due to their efforts that the Workmen's Compensation Act was increased to this amount. I pass by the stupid sneer by the Hon. Prime Minister. If we made a mistake and did not put enough, it is time for the House to correct the mistake.

This man was injured in the course of his duty and policemen all over the world always have a tough time. My point is this, on what basis is this given? Is the Government satisfied that this is the proper basis with all those injuries which this man received? It is no excuse to say that this is all to which he will be legally entitled. If the legal provisions are not satisfactory, you can change it.

8.45 p.m.

My understanding is that this is compensation to P.C. Anderson Ashby who was injured in the course of his duty, and the calculation is based upon the man who, in the event of him being employed by his private employer he would have got, in accordance with the Workmen's Compensation Act in Barbados. As I understand it, the maximum amount allowable would have been according to this calculation, 45 percent of \$12,000 which comes to the sum involved, but looking at the schedule of the Act, the Workmen's Compensation Act 1964-63, the second schedule, the loss of arm between wrist and elbow that would entitle him to 45 percent, and according to the Addendum it says that P.C. Anderson Ashby was feloniously maimed and in addition to sustaining other injuries his left hand was completely amputated at the wrist, and he lost the use of his right middle finger, so that the loss of the hand at the wrist would give him 42 1/2 percent, but what I am wondering about is whether in view of the injuries that this man has received, both the loss of his hand at the wrist, as well as the loss of the use of the finger on the other hand, whether he should not be treated as at least a fifty percent disability in which case he would be entitled to something more, because it seems to me that when one has — this is a point of interpretation which has caused many difficulties under the Workmen's Compensation Act, because whether you have the occurrence of both injuries, whether it does not put him in a higher category.

I can appreciate the position, and I myself am glad to see that the Government is committing itself to this House in saying that Mr. Ashby has been sent to England for rehabilitation treatment, and I myself have seen artificial arms being put on people, and that the Government will employ him in some other capacity, but it does seem to me that this would be

a case in the special circumstances of the case as it is, having regard to the two injuries that he received, not only the injury of the loss of the left hand completely and the loss of the use of his right middle finger — on account of the incised wound, the whole of the right middle finger. According to the schedule here the loss of four fingers and middle finger is 6 percent, so that it will be  $48\frac{1}{2}$  percent. What we are dealing with is the conjunction of both, not only has he lost his left hand, but he has lost his right middle finger. Surely this man, for all practical purposes, is a person who is in much the same position as if he had lost both hands. I take it that he is a right handed person who, not having the left hand to guide the right hand, so to speak, in my opinion the disability is greater because if one takes the percentage that is given for the loss of the middle finger —  $6\frac{1}{2}$  percent — that is estimated in my view taking into account that you still have the use of the left hand, but here is this man who has not got any left hand from the wrist at all, so when you take the two injuries together, in truth and in fact the man is at least entitled to 80 percent because he no longer has anything that he can combine. He cannot hold anything properly now because he only has a stump on one arm, that is the hardship in this case.

Mr. HINDS: Mr. Chairman, in this matter I feel that the circumstances surrounding the case, the circumstances which led up to P.C. Ashby sustaining this injury or the injuries, ought to have been taken into consideration by the Government in arriving at compensatory damages. P.C. Ashby, I understand, is a young man and if he had not met with these injuries and all had gone well with him throughout his career, one would have expected that he would have had quite a long time in the service of the force, and if he had even remained at the rank of Constable throughout that period however long it might be, we feel that from these injuries that he has lost considerably, his working life has been drastically altered, and what is being asked here this afternoon from this House, the sum of \$5,310, we think that the Government should take into consideration again the fact that this man went to his duty — it might be true that he went about it with a little more zeal or courage or whatever it might be than perhaps many others would have done, but what Government should take into consideration is the fact that he should be now compensated in a sufficient amount as not to deter others, in other words we are not saying that this man knew exactly what was going to happen to him, but nevertheless he was charged with carrying out a specific duty as a policeman.

We feel that all other members of the force are thinking like this. Here it is that a man might be trying to do his best, he lost a hand and lost a finger from another hand, and all he gets is \$5,000 and that is the end of it. We feel that the circumstances ought to be taken into consideration and I agree with what the hon. senior member for Christ Church has said that Government should have found it possible to have arrived at a much better figure at which to compensate this Constable under the circumstances.

Hon. E. W. BARROW: The hon. senior member for Christ Church — this is a question of compensation for a policeman who, in the course of duty was feloniously wounded and the principles on which we worked are the principles of the Workmen's Compensation Act which was amended in 1964 to increase the liability for total disablement from \$2,520 to \$12,000. We have always proceeded on that basis, we cannot think of a number, we work according to the Act and you may take into account that our legislation is more generous than the United Kingdom Act in 1946.

8.55 p.m.

What I should like to point out is this: the whole rationale of the Workmen's Compensation Act is that a man is compensated not so much for his wounded feeling or any cosmetic disfigurement; it is not for his loss of beauty or anything like that. The law is concerned with the loss of your capacity to earn your livelihood. If you were to get a scar on your left hand and it does not prevent you from carrying out your normal duties, then there can be no claim for Workmen's Compensation. There is some basis on which the Compensation should be calculated. I do not expect that the left hand must know what the right hand is doing and you must have a little more dexterity to have one hand to guide the other hand.

I am not in a position to assist the hon. member in that respect. If the rationale of Workmen's Compensation is that you are being compensated for your incapacity to earn your livelihood, all of this money will be going into the Officer's pocket because he is employed with the Government and we are satisfied that he can still earn his promotion to the end of his career, although, technically, he should be out of the Police Force. This Officer will continue to draw his salary and get his promotion, increments and so on, and when he comes to retire, he will also draw his pension. If somebody else had suffered injury of this kind, he would be out of work and the compensation which he would get out of the Workmen's Compensation Act would be in consideration of his being no longer able to follow his original calling. Having given the assurance that we have increased the amount by more than three percent to guarantee that this Officer will draw his full salary, I think that the hon. member will find how difficult it would be to think of a number, add so much to it, subtract so much from it and then come back to the original figure.

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

Hon. J. C. TUDOR: Mr. Chairman, I beg to move that you do now report the passing of two Resolutions in Committee of Supply.

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

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

*The CHAIRMAN reported to Mr. DEPUTY SPEAKER who took the Chair and reported accordingly.*

*On motions of Hon. J. C. TUDOR, seconded by Hon. C. E. TALMA in each case, the Resolutions passed in Committee of Supply were read a first and second time and agreed to.*

GOVERNMENT BUSINESS CONCLUDED

Hon. J. C. TUDOR: Mr. Deputy Speaker, the consideration of that Resolution concludes Government Business for the day.

ADJOURNMENT

Hon. J. C. TUDOR: Mr. Deputy Speaker, I beg to move that this House do now adjourn until Tuesday next, 27th June, 1967, at 2.30 p.m. of the clock.

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

*The question that this House do now adjourn until Tuesday next, 27th June, 1967, at 2.30 p.m. of the clock was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER adjourned the House accordingly.*

9.05 p.m.

