

10-1-54

Judgment 42, 1954

St Vincent

IN THE PRIVY COUNCIL

No. 1 of 1954

ON APPEAL

FROM THE SUPREME COURT OF APPEAL FOR THE WINDWARD ISLANDS AND LEEWARD ISLANDS (ST. VINCENT CIRCUIT)

BETWEEN

EBENEZER THEODORE JOSHUA

Appellant

- and -

THE QUEEN

...

Respondent

RECORD OF PROCEEDINGS

GARBER, VOWLES & CO.,
16, Soho Square,
London, W.1.

Solicitors for the Appellant.

CHARLES RUSSELL & CO.,
37, Norfolk Street,
London, W.C.2.

Solicitors for the Respondent.

IN THE PRIVY COUNCILNo. 1 of 1954ON APPEALFROM THE SUPREME COURT OF APPEAL FOR THE WINDWARD
ISLANDS AND LEEWARD ISLANDS (ST. VINCENT CIRCUIT)BETWEEN

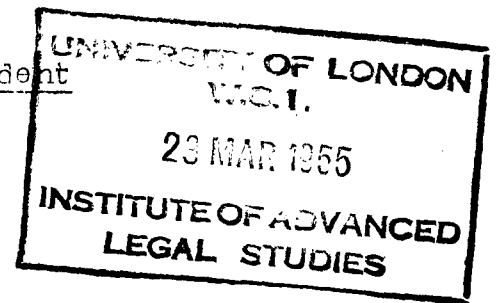
EBENEZER THEODORE JOSHUA

Appellant**38039**

- and -

THE QUEEN

...

RespondentRECORD OF PROCEEDINGSINDEX OF REFERENCE.

No.	Description of Document	Date	Page
	<u>IN THE SUPREME COURT OF THE WINDWARD AND LEEWARD ISLANDS</u>		
1	Indictment	12th January, 1953	1
2	Notes of Court Proceedings <u>Prosecution Evidence</u>	14th January, 1953	2
3	A. Forde	14th January, 1953	4
4	A. H. Jenkins	14th January, 1953	5
5	Ivan Charles	14th January, 1953	7
6	G. Findlay	15th January, 1953	8
7	Randolph Thomas	15th January, 1953	8
8	H. Sutherland <u>Defence</u>	15th January, 1953	9
9	Notes of Court Proceedings	15th January, 1953	10

No.	Description of Document	Date	Page
10	Judge's Summing up	16th January. 1953	12
11	Judge's Notes of Verdict	16th January, 1953	26
12	Sentence	16th January, 1953	27
13	Probation Order	16th January, 1953	28
	<u>IN THE WINDWARD & LEEWARD ISLANDS COURT OF APPEAL (CRIMINAL JURISDICTION)</u>		
14	Notice of Appeal	24th January, 1953	29
15	Judge's Report on Case	-	30
16	Judgment	7th July 1953	34
	<u>IN THE PRIVY COUNCIL</u>		
17	Order granting special leave to Appeal to Her Majesty in Council	22nd December 1953	39

E X H I B I T S

Ex-hibit Mark	Description of Document	Date	Page
AF2	Transcribed Notes of P.C.Forde of meeting in Kingstown on 26th November, 1952	-	63
AF4	Transcribed notes of P.C.Forde of meeting in Kingstown on 12th November, 1952	-	41
AF6	Transcribed notes of P.C.Forde of meeting in Kingstown on 20th November, 1952	-	54

LIST OF DOCUMENTS BEFORE MAGISTRATE TRANSMITTED
TO PRIVY COUNCIL BUT NOT PRINTED.

No.	Description of Document	Date
	Information on Oath by Ian Charles	20th December 1952
	Depositions of Crown Witnesses before Magistrate :-	
	Albert Forde Arthur Hughes Jenkins Ivan Charles and Gordon Findlay	5th January, 1953
	Statement of accused	5th January, 1953
	Committal for Trial of accused by Magistrate	5th January, 1953
	Complaint by Robert O'Garro on behalf of Crown	8th January, 1953
	Summons to accused to appear	8th January, 1953
	Deposition of Crown Witness before Magistrate Marcus Thomas and Hilary Sutherland	10th January, 1953
	Committal for Trial of accused by Magistrate	10th January, 1953
	Notice of Intended Application for leave to appeal to H.M. in Council	24th September 1953

IN THE PRIVY COUNCIL

No. 1 of 1954

ON APPEAL

FROM THE SUPREME COURT OF APPEAL FOR THE WINDWARD ISLANDS AND LEEWARD ISLANDS (ST. VINCENT CIRCUIT)

BETWEEN

EBENEZER THEODORE JOSHUA Appellant

- and -

THE QUEEN ... Respondent

RECORD OF PROCEEDINGS

In the Supreme Court.

10

No. 1

INDICTMENT.

No. 1.

Ebenezer Theodore Joshua is charged with the following offences -

Indictment

First Count

12th January, 1953.

STATEMENT OF OFFENCE.

Sedition, contrary to section 4 of the Sedition and Undesirable Publications Ordinance, 1939, as amended by Ordinance No.17 of 1941.

PARTICULARS OF OFFENCE.

20

Ebenezer Theodore Joshua on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen uttered a seditious speech, the purport of which was that the legislators of the Colony were treacherously plotting with the police to oppress the working classes.

Second Count.

STATEMENT OF OFFENCE

30

Effecting a public mischief, contrary to the Common Law.

In the Supreme Court.

PARTICULARS OF OFFENCE.

No. 1.

Indictment.

12th January, 1953 - continued.

Ebenezer Theodore Joshua on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, did by means of certain false statements in a public speech to the effect that the police were scheming politically and storing up a veritable arsenal at headquarters to shoot down the people when they decide to fight for their rights, agitate and excite certain section of the public against the police to the prejudice and expense of the community.

10

Third Count

STATEMENT OF OFFENCE.

Sedition, contrary to section 4 of the Sedition and Undesirable Publications Ordinance, 1939. as amended by Ordinance No. 17 of 1941.

PARTICULARS OF OFFENCE.

Ebenezer Theodore Joshua on the 4th day of January, 1953, at Georgetown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen, uttered a seditious speech, the purport of which was that from the Head of the Administration to the last police recruit had instructions to fabricate statements against the accused; that the authorities were trying to stir up disturbances in the Colony and that the people might retaliate against the police as in the case of Constable King of Trinidad.

20

12th January, 1953.

KEITH ALLEYNE.
Crown Attorney.

30

No. 2.

No. 2.

Notes of Court Proceedings.

NOTES OF COURT PROCEEDINGS

THE SUPREME COURT OF THE WINDWARD ISLANDS AND
LEEWARD ISLANDS
(CRIMINAL JURISDICTION)

A.D. 1953

JANUARY SESSIONS 1953

A. R. Cools-Lartigue, Puisné Judge
K. H. C. Alleyne. Crown Attorney.

14th January, 1953.

10 a.m. WEDNESDAY, 14th JANUARY, 1953.

Nos. 8 & 14/1952

REGINA) (1) Sedition.
 vs.)
 EBENEZER THEODORE JOSHUA) (2) Effecting public mischief.

In the Supreme Court.

 No. 2.

Mr. Bruyning, Mr. Radix with him, appear for Accused

Notes of Court Proceedings.

Before Accused pleads, Mr. Bruyning draws attention to Sec. 4 of No. 17/1941 and Sec. 5 of No. 20/1939.

14th January, 1953 - continued.

10 (i) Under sec. 5(2) no prosecution under sec. 4 without written consent of Attorney General. No such consent on record.

Ord. No. 4/1940 changes designation from "A.G." to "C.A."

(ii) Indictment contains 3 counts: Count 3 cannot be properly joined with others constituting as it does a different offence on a different date.

(iii) Count 2 charges two offences for one speech - bad for duplicity.

C.A.:- Draws attention to rule 3 of Cap. 5.

20 Count bad for duplicity only when two offences in same count.

Objections over-ruled by Court 7

Pleas of Accused:- Not Guilty to all counts.

JURY:-

- 30 (1) Mrs. Stella Dare - Challenged
 (2) Pauline Corea
 (3) Ken Punnett - Challenged
 (4) William Falby
 (5) Arthur Rawle Connell - Foreman
 (6) Alpheus King - Stand aside by Crown
 (7) Robert Da Breo - Stand aside by Crown
 (8) Fred De Nobrega
 (9) Ceford McLean - Stand aside by Crown
 (10) Eitel Alva Banfield
 (11) St. Aubyn Gato
 (12) Jack Minors - Challenged
 (13) Harry Da Silva

In the Supreme Court.

- (14) Percival Ambrose
- (15) Aldwyn Williams

No. 2.

Notes of Court Proceedings.

14th January, 1953 - continued.

C.A. Opens case for Crown :-

S E D I T I O N :-

(1) Accused Member of Ex. Co. & Leg. Co.

(a) Utterances of Accused intended to promote strife and contention in community.

(b) Seditious intention:- With what intent were words uttered. Intention to create chaos.

Jury to try whole issue.

10

PUBLIC MISCHIEF :-

Judge to rule whether acts done create a public mischief.

C.A. calls :-

Prosecution Evidence.

No. 3.

No. 3.

EVIDENCE OF ALBERT FORDE

A. Forde, Examination.

ALBERT FORDE, s.s.:- I am P.C. No.48 stationed at Headquarters. I am a clerk at the Police Station and I take shorthand reports of meetings at Kingstown. I took shorthand notes of a speech delivered by Accused on the 26th November last at the Market Square. He spoke through a loud speaker. I took notes from Headquarters Office. I have my original shorthand notes which I produce. [Put in and marked "A.F.1."] I made a transcript of these notes. I produce it. [Put in and marked "A.F.2."] [Speech read to Jury by witness.] I also took shorthand notes of a speech made by Accused on the 12th November. I have my original shorthand notes which I produce. [Mr. Bruyning objects to the production of these notes as being irrelevant to the charges in the Indictment. C.A. submits that notes of this speech and that of 20th November relevant to show lack of absence of intention on part of Accused - Phipson on Evidence - 8th Ed. p: 159.]

20

30

[Court rules evidence admissible - See Hals: Vol: 9, p: 305, para. 463 (2)]

In the Supreme Court

[Original notes put in and marked "A.F.3."] I also produce the transcript of these shorthand notes. [Put in and marked "A.F.4."] [Transcript read by Witness] I also took down a speech made by Accused on the 20th November. I have my original shorthand notes and produce them. [Put in and marked "A.F.5."] [Mr. Bruyning repeats his objection] I made a transcript of these notes which I produce. [Put in and marked "A.F.6."]

Prosecution Evidence.

No. 3.

A. Forde. Examination - continued.

10

At 12.30 p.m. Court adjourned to 2.15 p.m.

At 2.20 p.m. Court resumes its Sitting.

ALBERT FORDE s.s. :- (continues)

[Witness reads notes of meeting of 20th November.]

Cross-examined:- I was at Police Headquarters Office whilst taking Notes of these meetings. That is about 80 yards away from the meeting. No one else was taking Notes with me. I did not hear any objections during speeches of Accused. There were applause sometimes. I did make a note of applauses in my shorthand notes. I did not transcribe these notes of applause. Findlay's name was mentioned many times. I omitted parts of speeches that I did not hear. I did not put in anything I did not hear.

Cross-examination.

20

Re-examined:- From Police Headquarters Office I can hear speeches from Market Place clearly. I did not hear certain portions of speeches as traffic passes and drowns speech and sometimes cheers drown certain portions of what speaker was saying and sometimes speaker said things in an undertone. My notes represent what I heard clearly.

Re-examination.

30

No. 4.

No. 4.

EVIDENCE OF ARTHUR HUGHES JENKINS

A.H.Jenkins. Examination.

ARTHUR HUGHES JENKINS s.s.:- Superintendent

In the Supreme Court.

Prosecution Evidence.

No. 4.

A.H.Jenkins.

Examination - continued.

of Police in St. Vincent. I know Accused and also know he has held many public meetings since my arrival in the Colony. I have attended many of these meetings myself. On my instructions records are kept of every Kingstown meeting held by Accused and latterly these records are kept by shorthand writers. Latterly I usually get records of these meetings towards the end of the following day. I listened to a speech made by Accused on the 26th November last. In that speech references were made to the Police. There was one reference which was repeated several times in various forms. As near as I can remember words were - The Police are scheming politically with the others and are storing up a veritable arsenal of armaments to shoot you down with when you fight for your rights. Words to that effect were repeated two or three times during the speech. Those remarks drew loud cheers from a certain section of the crowd. I would say entire audience at these meetings numbered about 300 to 400. There is no truth in allegation that Police are storing up arms. Primary purpose of keeping arms is for protection of Colony itself, because in absence of any other defence force Police are liable to be called out by Proclamation for full military service in defence of the Colony. Accused is a member of both the Executive & Legislative Council of this Colony. At a Finance Committee meeting when the Police Estimates for 1953 were being considered both Accused and myself were present. I was asking for an increase in the Police Establishment of 16 men. I pointed out that these figures and this increase was asked for to implement the recommendations made by Brigadier Mavrogardato on the efficiency of the Police. Accused proposed that an increase of 8 men should be authorised for 1953. On 20th December I sent for Accused. He came to Headquarters and there I had him arrested.

10

20

30

Cross-examination.

Cross-examined:- I have been in Colony since end of August 1952. It was on my instructions that shorthand notes were taken of speeches of Accused. Shorthand notes have also been taken of speeches of some other members of the Legislative Council. I was very pleased to hear proposal of Accused that Police Establishment should be increased by 8 men and not at all annoyed. I eventually got increase of 10 men. Finance Committee meeting was about the first week in December. I believe it was after

40

meeting of Accused of 26th November. I mixed with crowd at meeting of 26th November. Speech by Accused lasted about 2 hours. I made no notes of speech. I first saw notes the following day - both the shorthand notes and the transcript. I can write shorthand - same system as shorthand typist uses. I read the transcript notes of that meeting several times. Accused also spoke about Findlay that night. He also spoke about all the other Legislators and condition of the working classes. I took speeches to the Crown Attorney and secured his advice on them. My force consists of 107 men - authorized establishment is 112.

In the Supreme Court.

Prosecution Evidence.

No. 4.

A.H.Jenkins.

Cross-examination - continued.

No. 5.

No. 5.

EVIDENCE OF IVAN CHARLES

Ivan Charles

Examination.

IVAN CHARLES s.s.:- Corporal of Police stationed at Headquarters. On 26th November I attended a political meeting at the Market Square. Speakers were Accused and others. I heard Accused say that on Friday, 21st November, Hons. Slater & Baynes went to the constituency he represents and told people a lot of worthless things about him and that he is not representing the people. He said Hon. Geo. Charles is walking around and making use of threats. He also said the Police were scheming politically and they are storing up a veritable arsenal at Headquarters to shoot down the people when they are to get up and fight for their rights. Accused also said Charles and Slater were joining in the plot, but he would save the people from the hands of those traitors. Accused also said other things I cannot now remember. On 20th December I obtained a Warrant for arrest of Accused. I executed it at Police Headquarters. Accused was charged and cautioned. He made no statement.

Cross-examined:- I made no notes in writing at the meeting, but mental notes. I made notes next day from what I remembered Accused said. Accused spoke for over two hours. Meeting began with a hymn "Oh God our help in ages past" and then the hymn "Red Flag". I did not read the notes made by Forde.

Cross-examination.

At 4.00 p.m. Court adjourned to 15th instant at 10 a.m.

A.R.C-L.
P.J.

In the Supreme
Court.

No. 6.

EVIDENCE OF GORDON FINDLAY

Prosecution
Evidence.

GORDON FINDLAY s.s.:- P.C. No. 44 stationed at Headquarters. On 14th November last I went to Belair to attend a public meeting held by Hon. Julian Baynes. I went to meeting to keep order, that is on duty. I did not go on to rostrum. I stayed at the back of the hall. During meeting I was called upon by the Chairman to quiet a disturbance that had arisen and restore order. Purpose of meeting was to form a Village Council or Management Committee of Belair.

No. 6.

G. Findlay.

Examination.

10

Cross-
examination.

Cross-examined:- I was ordered to go to the meeting by the N.C.O. in charge. Mr. Baynes requested that a Constable attend meeting. Belair is about $2\frac{1}{2}$ miles from Kingstown. I did not take notes of speech made by Baynes. I was not instructed by my superior Officer to make a record of his speech. Mr. Baynes was chairman of meeting. He was on the rostrum. I did not go on to rostrum when called to restore order, but I went near to it. Several persons spoke at meeting. Mr. Forbes did not speak at the meeting. One Miss Austin spoke. I asked Miss Austin to take her seat. I do not know whether Miss Austin and Forbes are members of the party to which Accused belongs. I did order Forbes to take his seat as he had created disorder in the hall. Forbes was subsequently charged for disorderly conduct by Police and case was dismissed. I went to meeting in a car with Mr. Baynes.

20

30

Re-examination.

Re-Examined:- When private persons ask for Police, the men detailed are paid by these persons and they also provide transport. I heard Magistrate give decision in case against Forbes.

No. 7.

No. 7.

R. M. Thomas.

EVIDENCE OF R.M.THOMAS

Examination.

RANDOLPH MARCUS THOMAS s.s.:- Station Sergt. of Police stationed at Georgetown. I was present at a political meeting held by Accused on Sunday

40

4th January at Mt. Bentinck. Meeting began at about 7 p.m. and concluded at about 9.45 p.m. There were about 300 to 350 persons present. At meeting, amongst other remarks, Accused said that from the Head of the Administration down to the last joined policeman have instructions to entrap him or to fabricate statements against him. That the Authorities were trying to stir up disturbances in this Island but he hoped that when they do come they will be able to take it. That white men will kill you (audience) go to bed wake up and forget it but black men will be scared will be peeping and the police will catch them, but there are certain black men who are like white men because they are associated with them. Accused reminded his listeners how the great Policeman Charlie King of Trinidad was burnt to death some years ago. When these remarks were made the whole crowd cheered lustily. Accused has held a subsequent meeting at Georgetown on Saturday, 10th January. At that meeting a Policeman attending the meeting was stoned. Meeting was held in the road close to home of Accused. /Mr. Bruyning objects to this evidence as irrelevant. C.A. submits that he is alleging that Accused used these words with intent to cause disturbance and disturbance was caused. Court rules evidence admissible./

In the Suprem.
Court.

Prosecution
Evidence.

No. 7.

R. M. Thomas
Examination -
continued.

Cross-examined:- On my return to the Station after the meeting I made notes of what had been said at the meeting. I have my note book on me. Notes I made took up two pages. Notes are not in shorthand. I do not know particular circumstances in which Policeman Charlie King met his death in Trinidad, but I know it was during some disturbances there. Corporal Sutherland was with me at the meeting of the 4th January.

Cross-
examination.

No. 8.

No. 8.

EVIDENCE OF H.SUTHERLAND

H.Sutherland
Examination.

HILARY SUTHERLAND s.s.:- Corporal of Police stationed at Georgetown. On Sunday, 4th January, I attended a public meeting held at the Mt. Bentinck public road. Accused was speaker at that meeting. There were about 300 to 350 persons present at that meeting. Among other remarks, Accused said from the Head of

40

In the Supreme Court.

Prosecution Evidence.

No. 8.

H. Sutherland

Examination - continued.

the Administration to the last joined Policeman had been instructed to fabricate statements to entrap him. That the authorities are trying to create a disturbance in this Island but he hopes when they get it they will be able to stand it. Accused drew people's attention to Charlie King of the Trinidad Police Force - how he was killed and burnt and that the Commissioner of Police Muller of Trinidad was armed with two army pistols shooting down people to force his way to Butler's headquarters. He further said labourers are being bribed by certain classes of people with a drink of strong rum and something to eat to cut their canes. He further read a Barbados newspaper comparing wages of cane-cutters and factory workers in Barbados.

10

Cross-examination.

Cross-examined:- I did not make any notes in meeting at the moment but I did so afterwards immediately on arriving at the Station. On my return to Station I met Sergeant Thomas and spoke to him. I did not compare my notes with his. I did not tell Sergeant what I heard as he was present himself. Up to now I have not done so nor have I shown him the notes I made. I have my note book. Notes of meeting occupy five pages of note book written in long hand.

20

Statements of Accused at Preliminary Enquiries (two) put in and read.

Defence.

No. 9.

Notes of Court Proceedings.

15th January, 1953.

D E F E N C E

No. 9

NOTES OF COURT PROCEEDINGS

30

Accused elects neither to give evidence on oath nor make a statement from the Dock, but to say

Jury are made to retire from Court whilst Counsel addresses Court on legal aspect of the charge of "effecting a public mischief".

Mr. Bruyning:-

(1) No case approximating facts of this one on which this charge brought.

Comment, however unfavourable, about conduct of a public officer cannot be said to tend to create public mischief, but may border on Sedition! Strange throughout ages no case like this one brought because of unfavourable comments like the ones alleged in this case.

In the Supreme Court.

Defence

No. 9.

Notes of Court Proceedings

15th January, 1953 -

continued.

C.A. :-

10

R. vs: Higgins - (1801) 2 East p.21.

R. vs: Brailsford - (1906) 75 L.J.K.B. 64 - 68. - 71.

R. vs: Porter (1910) L.J. K.B.D. 241.

R. vs: Robert Young (1944) 30 Cr. A.R. 57.

Mr. Bruyning replies. What Accused said was if people resort to violence they will be shot.

Jury come back into Court.

At 12 noon Court adjourns to 2 p.m.

At 2 p.m. Court resumes its Sitting.

20

Mr. Bruyning addresses Jury :-

Refers to Odgers - 3rd Ed: p.161. Vol: 1.

Refers Rex vs: Aldred - 22 Cox's Criminal Cases p:3. [Use "physical force" denotes "tumult, uproar, or public disorder or physical force"].

All surrounding circumstances must be taken into account! A man may express his opinion -

At 4.30 p.m. Court adjourned to 16th instant at 10 a.m.

In the Supreme Court.

Mr. Bruyning continues his address.

Defence.

Refers to Rex vs: Burns - 16 Cox C. C. 355. (1886). [Counsel is permitted to read summing up by in presence of Jury]

No. 9.

Submits:- (1) No offence disclosed by count 1. (2) No evidence in support of count 3.

Notes of Court Proceedings

16th January, 1953 - continued.

C.A. replies on behalf of Crown:

Speeches of 12th and 20th presented because there is a growing intention culminating in offences of speech of 26th November.

10

At 12.35 p.m. Court adjourned to 2.30 p.m.

At 2.30 p.m. Court resumes it's Sitting.

Judge sums up concluding at 3.37 p.m.

At 3.38 p.m. Jury retire to consider their verdict.

At 6.10 p.m. Jury return into Court.

No.10.

No. 10

Judge's Summing up.

JUDGE'S SUMMING UP

16th January, 1953.

Mr. Foreman, Members of the Jury, you are at last coming to the end of this Case. May I take this opportunity of commending you on the patience so far exhibited by you and implore you to continue that patience and bear with me whilst I sum up to you the facts as I see them and direct you on the law I am in entire agreement with the Counsel for the Accused, when he says that whilst it is true that it is for me to direct you on the law - while you are to take your law from me - you are the sole judges and arbiters of the facts. I can tell you what I feel about the facts but it is for you finally to decide. You are the sole judges and

20

30

arbiters of the facts, but you must take your law from me.

In the Supreme Court.

No.10.

Judge's Summing up.

16th January, 1953 - continued.

10 Now, this case may be regarded as an important one. It is quite true, you have, if I may say so, a distinguished member of the community - a member of the Legislative Council, a member of the Executive Council and a political leader in St. Vincent - who is charged by the Crown with what I might call serious offences against the community. This has caused a certain amount of interest, to put it in temperate phraseology. But that is no reason why you should be afraid of it. You must treat this case like any other and I am sure you will give it that attention and consideration which it deserves. You will have to consider all the facts and surrounding circumstances of the case from the evidence you have heard in this Court and come to your conclusions in accordance with the law without fear or favour.

20 There is another matter about which I must warn you. In a small community like this, you have doubtless heard opinions expressed and the various things said about the case itself. Eliminate these from your minds as well as any personal feelings you may have in the matter. Cut these out. Decide this case from the evidence you have heard in Court and from that evidence alone come to a conclusion as to whether or not the Accused is guilty of the charges the Crown has laid against him.

30

40 Again I must say that I am in agreement with Counsel for the Accused that personal feelings or impressions for or against the Accused have nothing to do with it. Whether you think the Accused is a grand fellow or the opposite has absolutely nothing to do with the case. Cut that out entirely. If there is anything you don't like about the Accused, that has nothing, absolutely nothing to do with the case. Personalities have nothing to do with it. If you feel that the Accused is a distinguished person in the community and finds himself in this serious position to-day and you are in sympathy with him that also has nothing to do with it. Sympathy has nothing to do with it. On the other hand you may think he is misleading the people and things of this nature, that, or rather those opinions have nothing to do with the case

In the Supreme
Court.

No.10.

Judge's
Summing up.

16th January,
1953 -
continued.

before you to-day. There were statements made about his being persecuted by Government and that he was a nuisance, hence the prosecution. Members of the Jury that has nothing to do with it. The point is this. Is the Accused guilty or not guilty of the charges laid against him? Guilty or not? Or to put it in another way do the crimes charged exist in law, and if so is the Accused guilty of these crimes from a legal point of view? The learned Crown Attorney in his address to you submitted that the Accused uttered the words complained of with a seditious intention. On the other hand Counsel for the defence argued that all the Accused did in these speeches was to suggest certain needed reforms. That is of course a question of fact for you. It does appear to me, however, that there are few if any constructive suggestions contained in these speeches. In fact the only ones that I have observed whilst combing through them are contained in the speech of the 12th November when a longer notice to quit to tenants is advocated and at the end of the speech of the 20th November where four points are put up for consideration, viz:- (1) light at Camden Park, (2) alteration to roads at Georgetown, (3) improvement of conditions at Colonial Hospital, and (4) erection of a new secondary school.

If the Accused has in fact been suggesting reforms for the Colony it is a very worthy thing to do, but it must be done in accordance with the law. It is, of course, immaterial whether or not you agree with the reforms suggested.

You have been told that the charges brought against the Accused are very seldom invoked. I will admit that I have been a member of the Bar for some 27 years and this is the first time I have been connected with charges of this nature. It is not true to say that these charges are only made use of in the Colonies and not in England, that in England persons are permitted to say what they please and no notice is taken of seditious utterances of those tending to the public mischief. I have myself heard speeches in England that may do both. But that is not the point. What you have to consider is whether the charges laid against the Accused are crimes known to the law and, if so, whether the Accused is guilty of these offences or not.

10

20

30

40

Complaint has been made of the activities of the Police in that the Accused is persistently watched by them. Well, why not? If the Accused always acts within the law, he has nothing to fear from being watched by the Police.

In the Supreme Court.

No.10.

10 It has also been suggested that the Superintendent of Police, Colonel Jenkins, is guilty of discrimination, because the speeches made by the Accused are the only ones of which shorthand notes are taken. The Colonel states in his evidence that shorthand records have also been made of speeches made by other Members of the Legislative Council. It is true that P.C. Findlay did admit not being instructed to take shorthand notes of a meeting held by another member of the Legislative Council. You will, of course, consider these criticisms by Counsel for the Accused, but I repeat that there is no reason for the Accused to bother about the activities of the Police once he acts within the law.

20

Judge's Summing up.

16th January, 1953 - continued.

You have been told by learned Counsel for the Accused that you must return a verdict on the evidence that is before you and on that evidence alone. With that remark I am in entire and complete agreement.

30 Now, Members of the Jury, let us turn to the law. I shall first of all deal with counts one and three of the Indictment. Under these counts the Accused is charged with sedition. Under section 4 of the Sedition & Undesirable Publications Ordinance 1939, as amended by the Sedition and Undesirable Publications (Amendment) Ordinance, 1941, any person who, inter alia, utters any seditious words is guilty of sedition. Under the same Ordinance seditious words are defined as meaning words having a seditious intention. Now what is a seditious intention? A seditious intention is an intention -

40 (i) to bring into hatred or contempt or to excite disaffection against the person of His Majesty, His Heirs or Successors or the Government of the Colony as by law established; or

(ii) to excite His Majesty's subjects or inhabitants of the Colony to attempt to procure the alteration, otherwise than by lawful means, of any matter in the Colony as by law established; or

In the Supreme Court.

No. 10.

Judge's Summing up.

16th January, 1953 - continued.

(iii) to bring into hatred or contempt or to excite disaffection against the administration of justice in the Colony; or

(iv) to raise discontent or disaffection amongst His Majesty's subjects or inhabitants of the Colony; or

(v) to promote feelings of ill-will and hostility between different classes of the population of the Colony.

But an act, speech or publication is not seditious by reason only that it intends - 10

(a) to show that His Majesty has been misled or mistaken in any of his measures; or

(b) to point out errors or defects in the Government or constitution of the Colony as by law established or in legislation or in the administration of justice with a view to the remedying of such errors or defects; or

(c) to persuade His Majesty's subjects or inhabitants of the Colony to attempt to procure by lawful means the alteration of any matter in the Colony as by law established; or 20

(d) to point out with a view to their removal any matters which are producing or have a tendency to produce feelings of ill-will and enmity between different classes of the population of the Colony.

In determining whether the intention with which any act was done, any words were spoken, or any document was published, was or was not seditious, every person shall be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself." 30

This is the local law on the subject by which we are bound. You have heard the comments of learned Counsel for the Accused as to freedom of speech. I quite agree that candid, full and free discussion of any public matter is the right of every citizen and naturally is not an offence; unless the discussion takes place in circumstances calculated or intended to incite tumult; unless the 40

discussion incites people to take the power in their own hands and to provoke them to tumult or disorder, or to transgress any of the other elements of sedition set out in the law. The freest public discussion, comment, criticism and censure at meetings or in the press in relation to all political matters, public acts of Government or of the press are permissible and no narrow construction is to be put upon the expressions used; but the criticism and censure must be without malignity and must not impute corrupt or malicious motives. You are at liberty to criticize the Government or the King, the Queen now, or any public acts of Government in a free and liberal manner, but without malignity and without imputing corrupt or malicious motives. I concede that you are at liberty to air any grievances you may have, but this must be done constitutionally and within the law. I also agree with learned Counsel that the best means to avoid disturbance and trouble is to draw attention to these grievances but this must be done in a lawful manner. To use strong or turgid language does not mean that what one says is seditious - I agree you can be abusive and not necessarily seditious. It was suggested that the only way one could be guilty of sedition was to incite people to riot or tumult. In all fairness to learned Counsel I do not think he persisted in that submission. That is not the law. The first sentence of the learned Judge's summing up in the case - Rex vs: Aldred (1909) 22 Cox C. C. 3. read to you by learned Counsel makes that quite clear, when the Judge says that as only one type of sedition had been alleged in that case, it was not necessary for him to deal with the other aspects thereof. I think the Crown Attorney struck a very happy note when he said that freedom of speech and freedom of action are privileges which everybody is entitled to enjoy but in so doing one must not prevent others from doing the same. The question you have to ask yourselves is whether when the Accused uttered the words alleged, he did so with the intention of promoting any of the seditious effects to which I have already referred.

With my permission learned Counsel for the Accused made reference to the learned Judge's summing-up in the case of Rex vs: Aldred (22 Cox C.C. P: 3). I may say that I entirely agree with the principles therein enunciated. There is one

In the Supreme Court.

No.10.

Judge's Summing up.

16th January, 1953 - continued.

In the Supreme
Court.

No. 10.

Judge's
Summing up.

16th January,
1953 -
continued.

aspect of this matter, however, to which I should like to draw your attention. Learned Counsel in his address seemed to suggest that in order to be guilty of sedition one must necessarily incite to riot or disorder. As I have already pointed out the first sentence of the summing-up in the above case makes it clear that that is not correct. There the learned Judge says that it is not necessary for him to give the Jury a full, accurate and comprehensive definition of all that could come under the head of seditious libel because the prosecution have limited their case to only one form of seditious libel. Learned Counsel also referred to the case of Rex vs: Burns & Others (16 Cox C.C. p: 355). There are two passages in the summing-up in that case to which I think your attention might be drawn. Cave J. says, inter alia:-
"Any intention to excite ill-will and hostility between different classes of Her Majesty's subjects may be a seditious intention; whether in a particular case this is a seditious intention or not, you must judge and decide in your own minds, taking into consideration the whole of the circumstances of the case." And later on quoting the words of Fitzgerald, J. in Reg. vs: Sullivan:- "Sedition in itself is a comprehensive term, and it embraces all those practices, whether by word, deed, or writing, which are calculated to disturb the tranquility of the state, and lead ignorant persons to endeavour to subvert the government and the laws of the Empire."

10

20

30

Members of the Jury, I do not think I need bother you further about the law as regards sedition. Let us now consider the facts. Count 1 of the Indictment charges that the Accused "in the hearing of liege subjects of Our Lady the Queen uttered a seditious speech, the purport of which was that the legislators of the Colony were treacherously plotting with the police to oppress the working classes." You will recollect that para. (iv) of section 3 of Ordinance No.20 of 1939 prescribes that a seditious intention includes an intention to raise discontent or disaffection amongst Her Majesty's subjects or inhabitants of the Colony, and para. (v) to promote feelings of ill-will and hostility between different classes of the population of the Colony. The Crown alleges that in the speech made by the Accused on the 26th November he made the following comments:- "My

40

In the Supreme
Court.

No.10.

Judge's
Summing up.

16th January,
1953 -
continued.

"friends, I have to make some comments tonight on
"the recent attitude of our Policemen. They have
"been doing some things quite recently that are
"obliged to make me comment against them. I am
"satisfied and convinced that just as I told Lt.-
"Col. Randolph in his Office, the Policemen in this
"colony are taking sides and are scheming politi-
"cally against certain people in this colony. I
"was also told that Charles and the others are
10 "walking about making a lot of threats. For this
"reason, the Policemen are storing up a veritable
"arsenal in the Headquarters. They are storing up
"this arsenal to shoot you down when you decide to
"fight for your rights. I have on many occasions
"pointed out the seriousness of making the people
"of this island bitter against one another and it
"is again happening in our midst. That is why they
"are storing up this arsenal and with that, Charles,
"Slater and all the rest are joining in the plot.
20 "They have a veritable arsenal to shoot you down
"like dogs. I told that to Mr. Randolph. It was
"quite clear to me when I said that the Police are
"taking sides and I drew his attention to the fact.
"The Police Force are taking political sides with
"these stooges in this island Who told Policeman
"Findlay that he could be the Chairman of any po-
"litical meetings in this island, just as he did
"the other night? I want to know who told Police-
"man Findlay that he could ascend on any political
30 "rostrum and take sides with any political brute
"in our midst. When Findlay and the other Police-
"men come to our political meetings, they are there
"purely for the object of allowing the proceedings
"to be conducted in an orderly fashion. They should
"not be allowed to go up on the political platforms
"and take part in the political meetings as Chair-
"men. When these men continue all this dirty
"work in the Force, suppressing certain honest men
"for the benefit of all the other political dogs
40 "in our midst, they still don't get any reward for
"it. They are thrown out of the Force in the same
"ridiculous fashion as if they did not do anything
"extraordinary, so what is the use of their taking
"political sides for certain people? You want to
"tell me that a man is working for the Police and
"should be allowed to come into a political meet-
"ing and go up on the political rostrum and do as
"he likes? We must not be contented with this
"state of affairs in our midst. The public must
50 "not be treated like that. The Police must stop

In the Supreme
Court.

No.10.

Judge's
Summing up.

16th January,
1953 -
continued.

"taking sides and when invited to any political
"meeting, they must act as Policemen. These men
"we have to deal with are dogs and they can never
"serve the people as they should. I have noticed
"certain things the Policemen are doing in our
"midst, and I am taking very serious notice of it."

You have heard the comment of learned Counsel
for the Accused to the effect that what the Accused
meant by the above was that if the people resorted
to violence they would be shot. That is a question
of fact for your consideration.

10

In corroboration of what the Accused is al-
leged to have said you have the evidence of Colonel
Jenkins. He tells us he attended that meeting and
heard the Accused in his speech make references to
the Police. There was one reference he repeated
several times in various forms. That reference was
the Police are scheming politically with others
and are storing up a veritable arsenal of armaments
to shoot you down when you decide to fight for your
rights. These remarks drew loud cheers from a
certain section of the crowd.

20

In further corroboration of this, there is
the evidence of Corporal Charles. He also said he
heard Accused say that the Police are scheming
politically and are storing up a veritable arsenal
at Headquarters to shoot the people when they get
up and fight for their rights. The first point you
have to consider is did Accused in fact say these
things? You will recollect learned Counsel's
criticism of the evidence of Colonel Jenkins to the
effect that though he could not remember whether
or not he was wearing a uniform on the night in
question, he could still say what Accused had said
about the Police. That is a question of fact for
you to consider. In so doing you must not lose
sight of the fact that the Colonel is the Superin-
tendent of Police and it appears to me any criti-
cisms of the Police would be likely to register in
his memory. Then there is the criticism of the
shorthand notes. How certain passages of the
speech were admittedly omitted when the shorthand
writer could not hear what was said because of
passing traffic or the cheers of the crowd. It was
submitted that these omissions may well change the
whole context of what is before you. You will of
course consider these comments. On the other hand

30

40

you will bear in mind that there is no evidence before you denying that Accused in fact said what is alleged or that he said something else. Another submission of Counsel's was that the evidence of the Colonel and the Corporal was only their impressions of what Accused said and not necessarily what was in fact said. That again is a matter for you to consider. The questions for your consideration are:- Did the Accused say these things? If he did, did he say them with a seditious intention? In considering the question of intention you will bear in mind the submission of the learned Crown Attorney when he said that the Accused in his speeches of the 12th and 20th November showed a growing seditious intention culminating in his speech of the 26th November. These speeches have been put in evidence and are before you for consideration. You must consider all the facts and surrounding circumstances. The Crown alleges Accused's intention was to raise discontent and disaffection amongst Her Majesty's subjects and to promote feelings of ill-will and hostility between the members of the Legislative Council and the working classes. In considering the intention you will also bear in mind the question of freedom of speech and the right to speak freely and criticize on any public matter. Take all the facts and surrounding circumstances into consideration and decide one way or the other.

I now turn to count 3 of the Indictment: What is complained of here is that the Accused on the 4th day of January, 1953, at Georgetown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen, uttered a seditious speech, the purport of which was that from the Head of the Administration to the last police recruit had instructions to fabricate statements against the Accused; that the authorities were trying to stir up disturbances in the Colony and that the people might retaliate against the police as in the case of Constable King of Trinidad.

I think I had better first deal with the evidence in support of that charge and then reiterate a general direction of the law.

First of all we have the evidence of Sergeant Thomas. He swore that at a meeting of Mt. Bentinck on the 4th January, the Accused said this: "from

In the Supreme Court.

No.10.

Judge's Summing up.

16th January, 1953 - continued.

In the Supreme
Court.

No.10.

Judge's
Summing up.

16th January,
1953 -
continued.

"the Head of the Administration to the last joined
"Policemen have instructions to entrap him or to
"fabricate statements against him. That the Auth-
"orities were trying to stir up disturbances in
"this Island, but he hoped that when they do come
"they will be able to take it. That white men
"will kill you (his audience) go to bed wake up
"and forget it but black men will be scared, will
"be peeping and the police will catch them. but
"there are certain black men who are like white 10
"men because they are associated with them." He
went on to say that Accused also reminded his lis-
teners that the great Policeman Charlie King of
Trinidad was burnt to death some years ago. That
evidence was corroborated by Corporal Sutherland
who was also present at the meeting. He swore that
Accused said from the Head of the Administration
to the last joined Policeman have been instructed
to fabricate statements to entrap him. That the 20
Authorities are trying to create a disturbance in
this Island but he hopes when they get it they will
be able to stand it. Accused then went on to
draw people's attention to Charlie King of the
Trinidad Police Force - how he was killed and burnt
and that Muller, the Commissioner of Police at
Trinidad was armed with two army pistols shooting
down people to force his way to Butler's head-
quarters. That labourers were being bribed by
certain classes of people with a drink of strong 30
rum and something to eat to cut their canes. Now
did Accused say these things? You will remember
the criticism of learned Counsel to the effect that
no shorthand notes of this speech were taken and
consequently the Police were only giving their
impression of what Accused said. On the other hand
the Sergeant and the Corporal both swore that im-
mediately on returning to the Station after the
meeting they made a note of what they had heard
Accused say. Their note-books were asked for by 40
learned Counsel and produced to him. Counsel's
only criticism of these notes is that in one case
they occupied two pages of the note-book and in
the other case five pages, whilst the meeting
lasted some 2½ hours. It is for you to decide
whether you believe Accused said these things or
not. If he did say them, did he do so with a
seditious intention? It is for you to examine
the words and surrounding circumstances and come
to your own conclusions. There is no evidence
before you as to what Accused knew about the 50

In the Supreme
Court.

No.10.

Judge's
Summing up.

16th January,
1953 -
continued.

10 circumstances under which Charlie King came to his death or as to the shooting by Muller, but it is common ground that these occurred during some disturbance in Trinidad. You also have it in evidence that at a subsequent meeting at Georgetown near the home of the Accused on the 10th January, a Policeman was stoned. Of course the mere fact that this took place does not necessarily mean that the Accused acted with a seditious intention, but it is a circumstance for your consideration. The Crown says that by speaking as he did, the Accused tended to create discontent or disaffection amongst Her Majesty's subjects and to promote ill-will and hostility between the Administration and the Police on the one hand and certain sections of the community on the other. You will of course remember a person's right to speak freely on and criticize any public matter and the mere use of strong language does not necessarily make it sedition. Members of the Jury, I do not think there is anything else in connection with the charges of sedition of which I can usefully remind you. You will apply the law as laid down by me and ask yourselves the following questions: Did Accused in fact utter the words complained of? If he did, did he do so with a seditious intention?

20

PUBLIC MISCHIEF.

Let us now turn to count 2 of the Indictment. That count reads as follows :-

30 "Ebenezer Theodore Joshua on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, did by means of certain false statements in a public speech to the effect that the police were scheming politically and storing up a veritable arsenal at headquarters to shoot down the people when they decide to fight for their rights, agitate and excite certain section of the public against the police to the prejudice and expense of the community."

40 That is the charge as laid in the Indictment. Before I deal with the law, let us consider the facts as are to be found in the evidence that has been put before you. First of all did the Accused in fact make use of the expressions alleged? Did he accuse the Police of scheming politically and storing up a veritable arsenal at headquarters to

In the Supreme Court.

No.10.

Judge's Summing up.

16th January, 1953 - continued.

transcript of the evidence
in the Supreme Court.

shoot down the people when they decide to fight for their rights and in so doing agitate and excite a certain section of the public against the police to the prejudice and expense of the community? You will remember what the Accused is alleged to have said in his speech of the 26th November, according to the shorthand notes of that speech. He is reported to have said - "My friends, I have to make some comments tonight on the recent attitude of our Policemen. They have been doing some things quite recently that are obliged to make me comment against them. I am satisfied and convinced that just as I told Lt.-Col. Randolph in his office, the Policemen in this colony are taking sides and are scheming politically against certain people in this colony I was also told that Charles and the others are walking about making a lot of threats. For this reason, the Policemen are storing up a veritable arsenal in the Headquarters. They are storing up this arsenal to shoot you down when you decide to fight for your rights. I have on many occasions pointed out the seriousness of making the people of this island bitter against one another and it is again happening in our midst. That is why they are storing up this arsenal and with that, Charles, Slater and all the rest are joining in the plot. They have a veritable arsenal to shoot you down like dogs." And he goes on - "The Police Force are taking political sides with these stooges in this island." You will recollect that this was corroborated by the evidence of Colonel Jenkins and Corporal Charles. Later on Accused is alleged to have said "I want to know who told Policeman Findlay that he could ascend on any political rostrum and take sides with any political brute in our midst. When Findlay and the other Policemen come to our political meetings they are there purely for the object of allowing the proceedings to be conducted in an orderly fashion. They should not be allowed to go up on the political platforms and take part in the political meetings as Chairmen." Again on page 35 "I cannot understand the attitude of the Police who have now decided to take sides." I will remind you shortly of the evidence of Colonel Jenkins and of Corporal Charles. You will remember the Colonel told you that in the speech of the 26th November, 1953, the Accused made reference to the police and

10

20

30

40

repeated several times that the police are scheming politically and are storing up an arsenal to shoot you down when you decide to fight for your rights. The Colonel also said that these remarks drew loud cheers from certain sections of the crowd. The Police deny these accusations by the Accused. Colonel Jenkins says in his evidence that the Police have no arsenal to shoot down the people, but the principal object of the arms in possession of the Police is to defend the Colony from attack by any foreign force. You will remember the criticism by learned Counsel of this piece of evidence by the Colonel. Learned Counsel also suggested to you that Colonel Jenkins has a "down" on Accused because the latter attempted to reduce the number of extra men asked for by the Colonel in Finance Committee. You have the Colonel's denial of that suggestion in his evidence. Those are all matters for you to consider. You will recollect that no evidence has been placed before you alleging that the Accused did not say the things he is alleged to have said or that he said something different. I now propose to deal with the law governing the crime of acts tending to public mischief.

Acts tending to public mischief: It has been held that all offences of a public nature tending to the prejudice of the community justify a charge of causing a public mischief. All offences of a public nature, that is, all such acts or attempts as tend to the prejudice of the community, are indictable. The authorities also establish that it is not necessary to constitute this offence that it should be prejudicial to the public in its aggregate capacity or to all the King's subjects, but it is enough if it is prejudicial to a class of these subjects. In a comparatively recent case it was held that making false statements to the Police and thus causing them to take action thereon tended to cause a public mischief. It seems to me therefore that accusing the Police of "scheming politically and storing up a veritable arsenal at headquarters to shoot down the people when they decide to fight for their rights" a fortiori, tends to be prejudicial to a section of the community, namely:- the Police, and thereby tends to the public mischief. The authorities also clearly establish that it is for the Jury to find whether the Accused committed the acts alleged

In the Supreme Court.

No.10.

Judge's Summing up.

16th January, 1953 - continued.

In the Supreme
Court.

No.10.

Judge's
Summing up.

16th January,
1953.-
continued.

against him. In this case whether he said these words! It is for the Judge to rule whether those acts, if proved, do or do not constitute the effecting of a public mischief. Holding as I do that the words complained of, in the context in which they are found, can only be construed as an attempt to bring the Police into disrepute and to cause a certain section of the community to suspect, disrespect and, in all probability, to hate the Police. I direct you, as a matter of law, that if you find he did utter the words complained of, he is guilty of the offence of effecting a public mischief. Learned Counsel has submitted that what the Accused said meant that if the people used violence in fighting for their rights they would be shot by the Police. I fear I cannot agree with that interpretation.

10

Members of the Jury I don't think there is anything more I can usefully add to what I have already told you. If on the facts, you have a reasonable doubt as to one or any of the charges, the benefit of that doubt must be given to the Accused. Of course I don't mean a frivolous or fanciful or imaginary doubt, but such a doubt that will weigh with you in your important affairs of everyday life. If that doubt exists in your mind as to all or any of the charges against the Accused, it is your duty to give the benefit of that doubt to the Accused. If on the other hand on one or any of the charges there is no doubt in your mind after considering the facts and applying the law as directed by me, it is equally your duty, fortified as you are by your oaths, to return a verdict against the Accused. Members of the Jury I now ask you to consider your verdict and as I already told you do justice between the Crown and the Accused without any fear or favour. Please now consider your verdict.

20

30

No.11.

No. 11

Judge's Notes
of Verdict.

JUDGE'S NOTES OF VERDICT

40

16th January,
1953.

Count (1) of Indictment:- Jury inform Court that they are not agreed but stand 6 to 3. Foreman states they might agree if sent back. Jury discharged on this Count.

Count (2) of Indictment:- Accused is found Guilty by a majority of 8 to 1.

In the Supreme Court.

Count (3) of Indictment:- Unanimous verdict of "Not Guilty".

No.11.

C.A. applies that Jury be discharged on first count.

Judge's Notes of Verdict.

Jury ask for leniency on verdict of "Guilty" on second count.

16th January, 1953 - continued.

10 Mr. Bruyning submits verdict not a proper one - Court rules otherwise.

C.A. applies that prisoner be treated under the Probation of Offenders Act.

No. 12

No.12.

SENTENCE

Sentence.

20 Sentence:- Prisoner is discharged conditionally on his entering into a Recognizance to be of good behaviour and to appear for sentence when called on at any time within two years, and further it is ordered that Prisoner pay \$100.00 costs of proceedings within six weeks.

16th January, 1953.

At 6.30 p.m. Court adjourned to 19th instant, at 10 a.m.

A.R. C-L.

P.J.

In the Supreme Court.

No. 13

PROBATION ORDER

No.13.
Probation Order.
16th January, 1953.

I, Ebenezer Theodore Joshua acknowledge myself to owe to Our Sovereign Lady the Queen the sum of \$240.00 to be levied of my goods lands and tenements if I fail in the condition hereinafter expressed:

E. THEODORE JOSHUA.

Taken orally before His Lordship the Puisne Judge sitting in the St. Vincent Circuit the 16th day of January, 1953.

10

D.F. JOHNSON,
Registrar ad hoc of
Supreme Court of the Windward
Islands and Leeward Islands
St. Vincent Circuit.

CONDITION

The condition of this recognizance is such that if the said Ebenezer Theodore Joshua shall be of good behaviour and shall keep the peace and appear before the Supreme Court of the Windward Islands and Leeward Islands sitting in the St. Vincent Circuit for conviction and sentence when called on at any time during the period of two years ensuing, and

20

2. Shall pay the sum of \$100.00 being cost of proceedings in six weeks then this recognizance shall be void, but otherwise shall remain in full force.

DATED this 16th day of January, 1953.

E.T.J.

No. 14

NOTICE OF APPEAL

IN THE SUPREME COURT OF THE WINDWARD ISLANDS AND
LEEWARD ISLANDS.

In the Supreme
Court.
Court of Appeal
(Criminal
Jurisdiction)

To the Registrar of the above Court
and to Counsel for the Crown.

No.14.

Notice of
Appeal.

24th January,
1953.

10 I, EBENEZER THEODORE JOSHUA having been con-
victed on the 16th day of January, 1953, of the
offence of PUBLIC MISCHIEF do hereby give Notice
of Appeal against my conviction to the Court of
Appeal on questions of Law, that is to say :-

1. That the Indictment was bad inasmuch as
(a) Counts (1) and (2) refer to one and the same
speech, (b) Count (3) was improperly joined.

2. The learned Judge when dealing with Counts
(1) and (3) misdirected the Jury as to the relev-
ancy of the evidence in support of Count (2) to
the said Counts.

20 3. The evidence in support of Count (2) does
not constitute the offence known to the Common Law
as Public Mischief.

4. The verdict on Count (2) is unreasonable
in view of the verdict on Counts (1) and (3).

DATED the 24th day of January, 1953.

E. THEODORE JOSHUA Appellant.

Tried in the Supreme Court of the Windward Islands
and Leeward Islands (Criminal Jurisdiction)

Sentence: Defendant to pay cost of proceedings
\$100.00 and to enter Bond to keep the
Peace for two years.

The above questions of Law were raised at the
Trial.

In the Supreme
Court.
Court of Appeal
(Criminal
Jurisdiction)

No. 15.

JUDGE'S REPORT ON CASE

In the Indictment presented against the appellant, he was charged on three counts, namely :-

No. 15.

Judge's Report
on case.

(1) that on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen uttered a seditious speech, the purport of which was that the legislators of the Colony were treacherously plotting with the police to oppress the working classes; 10

(2) that on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, did by means of certain false statements in a public speech to the effect that the police were scheming politically and storing up a veritable arsenal at headquarters to shoot down the people when they decide to fight for their rights, agitate and excite certain section of the public against the police to the prejudice and expense of the community; 20

(3) that on the 4th day of January, 1953, at Georgetown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen, uttered a seditious speech the purport of which was that from the Head of the Administration to the last police recruit had instructions to fabricate statements against the accused; that the authorities were trying to stir up disturbances in the Colony and that the people might retaliate against the police as in the case of Constable King of Trinidad. 30

The case was heard on the 14th, 15th and 16th days of January, 1953. The Crown Attorney (Keith Alleyne) appeared for the Crown, whilst the appellant was represented by Mr. Bruyning, with whom was associated Mr. Radix.

Before the appellant pleaded to the Indictment, his Counsel drew the attention of the Court to the fact that the first and third counts of the Indictment were brought under section 4 of the Sedition and Undesirable Publications Ordinance, 1939 (No. 20 of 1939), as amended by the Sedition and Undesirable Publications Ordinance, 1941 (No. 40

17 of 1941) and that under Section 5 of the former Ordinance no person could be prosecuted for an offence under section 4 thereof without the written consent of the Attorney General. He thereupon submitted that there was no such consent on the record and that consequently the prosecution could not proceed. The learned Crown Attorney pointed out in reply that under section 3 of the Official Designations Ordinance, 1940 (No. 4 of 1940) whenever the designation or name of office of "Attorney-General" is used in any law, for such designation or name of office that of "Crown Attorney" shall be substituted. He submitted that as the Indictment had been signed and presented by him, his consent thereto was necessarily implied. With the latter submission the Court agreed and ruled accordingly.

10

Counsel for the appellant then submitted -

20

(i) that the third count of the Indictment could not be properly joined with the other counts, constituting as it did a different offence on a different date; and

(ii) that the second count of the Indictment was bad for duplicity as it purported to charge the appellant for another offence in regard to the same speech as that referred to in the first count.

The learned Crown Attorney argued contra -

30

(i) that under rule 3 of the Schedule to the Criminal Procedure Ordinance (Cap. 5) "Charges for any offences, whether felonies or misdemeanours, may be joined in the same indictment if those charges are founded on the same facts, or form or are a part of a series of offences of the same or similar character; and

(ii) that a count was only bad for duplicity when two offences were contained in the same count.

40

The Court again agreed with the Crown Attorney's submissions and ruled accordingly. In this connection reference may be made to section 7 of the above-mentioned Ordinance which provides that subject to the provisions of the rules under this Ordinance, charges for more than one felony or for more than one misdemeanour, and charges for both

In the Supreme Court.

Court of Appeal
(Criminal
Jurisdiction)

No.15.

Judge's Report
on case -
continued.

In the Supreme Court.

felonies and misdemeanours, may be joined in the same indictment.

Court of Appeal
(Criminal
Jurisdiction)

No.15.

Judge's Report
on case -
continued.

In support of the case for the Crown, the shorthand notes and the transcript thereof, of a speech alleged to have been made by the appellant on the 26th November 1952 at a meeting at the Market Square in Kingstown, were put in evidence. These speak for themselves and require no comment from me. In support of the shorthand report of this speech, evidence was given by the Superintendent of Police and Corporal Charles also of the Police Force, who had attended this meeting, of their recollection of what was said by the appellant and relevant to the charges laid in the first two counts of the Indictment.

10

The shorthand notes and transcript thereof of speeches alleged to have been made by the appellant on the 12th and 20th November, 1951, were also put in evidence. Counsel for the appellant objected to the admission of this evidence as irrelevant, but these notes were admitted to establish lack of absence of unlawful intention and not accident. See Halsbury (Hailsham Edition) Volume 9 page 305, para. 463 (2)

20

In support of the charge laid in the third count of the Indictment, the Crown further called Station Sergeant Thomas, and Corporal Sutherland, both of the Police Force, who deposed as to their recollection of certain statements that were alleged to have been made by the appellant in a speech made at Mt. Bentinck on the 4th January, 1953. There again the evidence of these witnesses forms part of the record and speaks for itself.

30

The appellant elected neither to give evidence on oath nor to make a statement from the dock, but to say nothing.

At this stage of the case the Jury were asked to retire from the Court and Counsel on both sides addressed me on the question of what is the effecting of a public mischief and the true respective functions of the Judge and the Jury at the trial of this charge.

40

The Jury were then recalled and leading Counsel for the Defence proceeded to address them and

in an exhaustive speech, lasting some four hours, dealt with all the aspects of the case.

The Crown Attorney replied and I then summed up to the Jury.

A transcript of the shorthand notes of my summing up is attached.

After an absence of about two hours and a half the Jury were recalled into Court and informed me:-

(1) As to count 1 of Indictment:-

10 They were not agreed but were 6 to 3.

(2) As to count 2 of Indictment:-

They found appellant guilty by a majority of 8 to 1.

(3) As to count 3 of Indictment:-

They unanimously found Accused "Not Guilty".

At the request of the Crown Attorney the Jury were discharged on the first count.

The Jury recommended the appellant to mercy.

20 In view of this and at the request of the Crown Attorney who applied that the appellant be dealt with under the Probation of Offenders Ordinance, 1939, (No.4 of 1939) I discharged the appellant conditionally on his entering into a recognizance to be of good behaviour and to appear for sentence when called on at any time within two years, and further ordered that the appellant pay \$100.00 costs of the proceedings within six weeks.

To turn now to the Grounds of Appeal:-

Ground 1: This has already been dealt with above.

30 Ground 2: Is not understood. My direction to the Jury as to count 2 is clear and unequivocal. I cannot conceive that the appellant is complaining about the verdict of the Jury as regards count 3 or the discharge of the Jury with regard to count 1.

In the Supreme Court.

Court of Appeal
(Criminal
Jurisdiction)

No.15.

Judge's Report
on case -
continued.

In the Supreme
Court.

Court of Appeal
(Criminal
Jurisdiction)

No.15.

Judge's Report
on case -
continued.

Ground 3: The evidence in support of the charge laid in count 2 of the Indictment was that the appellant in the course of his speech of the 26th November, 1952, stated, inter alia, that the police are scheming politically against certain people in the Colony; that they are storing up a veritable arsenal at Headquarters; and that they are storing up this arsenal to shoot down the people when they decide to fight for their rights. After careful scrutiny of the authorities dealing with the offence of effecting a public mischief and the proper functions of the Judge and Jury in connection therewith, I deemed it my duty to direct the Jury that if the appellant did in fact utter the words complained of; words which, in my opinion, must tend to make the Police hated and disliked by a section of the community, he was guilty, as a matter of law, of conduct causing or tending to cause public mischief. One has but to refer to the case of Rex. vs: Young (1944) G.A.R. 57 and the other cases discussed therein, for authority for this proposition. 10 20

Ground 4: I do not think any comment is required from me as to this ground.

ALEX. R. COOLS-LARTIGUE.

Puisne Judge.

No.16.

Judgment.

7th July, 1953.

No. 16.

IN THE COURT OF APPEAL FOR THE WINDWARD ISLANDS
AND LEEWARD ISLANDS
(ST. VINCENT CIRCUIT)
(CRIMINAL JURISDICTION) 30

ON APPEAL FROM THE SUPREME COURT OF THE WINDWARD
ISLANDS AND LEEWARD ISLANDS

BETWEEN: EBENEZER THEODORE JOSHUA - Appellant
- and -

THE QUEEN

Respondent

JUDGMENT

BEFORE:- JACKSON, C.J.. DATE and MANNING, J.J.

The appellant was tried by a Judge and Jury on an indictment containing three counts - the first and third being for sedition, contrary to section 4 of the Sedition and Undesirable Publications Ordinance, 1939; the Second for effecting a public mischief, contrary to the Common Law. The particulars of the offences were stated as follows :- 40

First Count

Ebenezer Theodore Joshua on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen uttered a seditious speech the purport of which was that the legislators of the Colony were treacherously plotting with the police to oppress the working classes.

In the Supreme Court.

Court of Appeal
(Criminal
Jurisdiction)

No.16.

Judgment.

10

Second Count

Ebenezer Theodore Joshua on the 26th day of November, 1952, at Kingstown in the Colony of Saint Vincent, did by means of certain false statements in a public speech to the effect that the police were scheming politically and storing up a veritable arsenal at headquarters to shoot down the people when they decide to fight for their rights, agitate and excite certain section of the public against the police to the prejudice and expense of the community.

7th July, 1953
continued.

20

Third Count

Ebenezer Theodore Joshua on the 4th day of January, 1953, at Georgetown in the Colony of Saint Vincent, in the hearing of liege subjects of Our Lady the Queen, uttered a seditious speech, the purport of which was that from the Head of the Administration to the last police recruit had instructions to fabricate statements against the accused; that the authorities were trying to stir up disturbances in the Colony and that the people might retaliate against the police as in the case of Constable King of Trinidad.

30

40

The case was heard on the 14th, 15th and 16th days of January, 1953. Before the appellant pleaded his Counsel submitted (i) that the third count of the Indictment could not be joined with the other counts as it constituted a different offence on a different date, and (ii) that the second count was bad for duplicity in that it purported to charge the appellant with a second offence in connection with the same speech to which the first count related. These objections having been

In the Supreme
Court.

Court of Appeal
(Criminal
Jurisdiction)

No.16.

Judgment.

7th July, 1953.
continued.

disallowed by the trial judge, the appellant pleaded Not Guilty, and the case was thereafter heard. No evidence was called by the defence nor did the appellant make any statement. Counsel addressed the Jury, the Judge summed-up, and the Jury retired to consider their verdict. Two and a half hours later the Jury informed the trial Judge that they had not agreed on the first count; on the second they returned a verdict of Guilty with a recommendation for Mercy, and on the third, a verdict of Not Guilty. Counsel for the defence then submitted that the verdict was not a proper one, but the Judge ruled otherwise and, at the request of Counsel for the prosecution, discharged the Jury on the first count. He then discharged the appellant conditionally on his entering into a recognizance to be of good behaviour and to appear for sentence when called on at any time within two years; he further ordered him to pay \$100, costs of the proceedings, within six weeks. From this conviction and order an appeal was lodged.

10

20

In this Court Counsel for the appellant urged that the words of the speech of the 26th November which formed the subject of the second count of the Indictment were also some of those relied upon by the prosecution and put to the Jury by the learned trial Judge for the purposes of the first count - the whole speech being the subject matter of the first count. He cited section 17 of the Interpretation Ordinance, Chapter 72 of the Revised Edition of the Laws of St. Vincent, which provides that -

30

"Where an act or omission constitutes an offence under any statute, which offence is punishable at Common Law or under any statute for the time being in force in this Colony, the offender shall not, in the absence of express provision to the contrary, be exempt from any proceeding at Common Law, or under such statute, but he shall not be liable to be punished twice for the same offence."

40

He contended that the entire speech constituted but a single act, that there was one offence, if any, and that that offence should be the subject of one count only. He submitted that these counts were not put to the Jury in the alternative - that is to say, that the Jury were given no direction

by the Judge to the effect that they could not convict the appellant on both counts - and that, in the circumstances, there must have been confusion in the minds of the Jury when they retired to consider their verdict.

In the Supreme Court.

Court of Appeal
(Criminal
Jurisdiction)

No.16.

Judgment.

7th July, 1953.
continued.

10 We have considered these submissions but we are not persuaded that the section quoted is applicable. An examination of the counts discloses that count 1 is founded on one particular part of the speech, and that count 2 is founded on another part of the same speech. It was open to the Crown to allege that a seditious intention was disclosed by certain words in one part of the speech, and also to allege that certain words in another part of the speech constituted a public mischief. There was no necessity to direct the Jury that the counts should be regarded as alternative - it was open to the Jury to convict on both. The learned Judge when dealing with the count on sedition and that
20 on public mischief quite properly read the whole speech of the appellant to the Jury and he specifically and with clarity directed them as to the particulars on the count as to public mischief. We are satisfied that confusion in the minds of the Jury could not reasonably have resulted from such direction.

30 The law relating to the offence of public mischief was exhaustively reviewed in the recent case of Robert - Young, 30 Cr. App. R. 57. At page 60 Caldecote, L.C.J. in delivering the judgment of the Court cited with approval these words of Lawrence, J. at page 21 in Higgins, (1801) 2 East 4:

"Secondly, all offences of a public nature, that is, all such acts or attempts as tend to the prejudice of the community are indictable."

40 The Lord Chief Justice proceeded: "Those words have been treated as a good authority for saying that offences which tend to the prejudice or which cause expense to the public justify charges under the common law of misdemeanour of causing a public mischief.... It is obvious that this is a class of offence which can be extended very widely, and indeed almost indefinitely, if the language of Lawrence, J., is applied, or if the statements which are to be found in modern text-books are applicable."

In the Supreme Court.

In the present case in the course of his direction to the Jury the learned Judge said :-

Court of Appeal
(Criminal
Jurisdiction)

No.16.

Judgment.

7th July, 1953
continued.

"It seems to me therefore that accusing the police of scheming politically and storing up a veritable arsenal at Headquarters to shoot down the people when they decide to fight for their rights, tends to be prejudicial to a section of the community, namely the police, and thereby tends to the public mischief.... Holding as I do that the words complained of in the context in which they are found can only be construed as an attempt to bring the police into disrepute and to cause a certain section of the community to suspect, disrespect and, in all probability, to hate the police, I direct you, as a matter of law, that if you find he did utter the words complained of he is guilty of the offence of effecting a public mischief." 10 20

It is now settled law that it is the duty of the Judge, "to direct the Jury as to whether an act may tend to the public mischief and that it is not in such a case an issue of fact upon which evidence may be given."

There was a further submission that there was no evidence that any expense had been caused to the community as alleged in the count. The words of Caldecote, L.C.J., in Robert Young cited above were "offences which tend to the prejudice or which cause expense to the public justify charges" of a public mischief. In the present case the learned Judge ruled that the expression used by the appellant tended to the prejudice of the public; it was not necessary to deal with the question of expense and the words "and expense" in the count were mere surplusage. We are agreed that the direction of the learned Judge was correct and the verdict of the Jury cannot be disturbed. 30 40

The appeal is dismissed and the conviction and order affirmed.

(Sgd.) DONALD JACKSON - Chief Justice.

(Sgd.) W. A. DATE - Puisne Judge.

(Sgd.) R. J. MANNING - Puisne Judge.

7th July, 1953.

No. 17.

ORDER GRANTING SPECIAL LEAVE TO APPEAL
TO HER MAJESTY IN COUNCIL.

In the Privy
Council.

No.17.

AT THE COURT OF SAINT JAMES

The 22nd day of December, 1953

Order granting
special leave
to appeal to
Her Majesty in
Council.

PRESENT

HER MAJESTY QUEEN ELIZABETH THE QUEEN MOTHER
HER ROYAL HIGHNESS THE PRINCESS MARGARET

LORD PRESIDENT

MR. GEOFFREY LLOYD

MR. SECRETARY HEAD

COMMANDER GALBRAITH

22nd December,
1953.

10

WHEREAS Her Majesty, in pursuance of the Re-
gency Acts, 1937 to 1953, was pleased, by Letters
Patent dated the twentieth day of November, 1953,
to delegate to Her Majesty Queen Elizabeth the
Queen Mother, Her Royal Highness the Princess
Margaret, His Royal Highness The Duke of Gloucester,
Her Royal Highness The Princess Royal and the Earl
of Harewood, or any two or more of them, as Coun-
sellors of State, full power and authority during
the period of Her Majesty's absence from the United
Kingdom to summon and hold on Her Majesty's behalf
Her Privy Council and to signify thereat Her Maj-
esty's approval of anything for which Her Majesty's
approval in Council is required:

20

AND WHEREAS there was this day read at the
Board a Report from the Judicial Committee of the
Privy Council dated the 7th day of December, 1953,
in the words following, viz:-

30

"WHEREAS by virtue of His late Majesty King
Edward the Seventh's Order in Council of the
18th day of October 1909 there was referred un-
to this Committee a humble Petition of Ebenezer
Theodore Joshua in the matter of an Appeal from
the Court of Appeal for the Windward Islands
and Leeward Islands (St. Vincent Circuit) be-
tween the Petitioner (Appellant) and Your Majesty
Respondent setting forth (amongst other matters):
that the Petitioner prays for special leave to
appeal from a Judgment of the Court of Appeal
for the Windward Islands and Leeward Islands
(St. Vincent Circuit) dated the 7th July, 1953,
dismissing his Appeal against his conviction in

40

In the Privy
Council.

—————
No.17.

Order granting
special leave
to appeal to
Her Majesty in
Council.

22nd December,
1953 -
continued.

the Supreme Court of the Windward Islands and Leeward Islands St. Vincent on the 16th January 1953 of effecting a public mischief: that the matters of which the Petitioner complains are (i) that the learned Trial Judge in his summing-up misdirected the jury as to the law relating to the offence of effecting a public mischief and himself wrongly applied the law to the facts of the case: (ii) that the learned Trial Judge decided certain issues of fact which ought to have been left to the jury and (iii) that the evidence given did not disclose the commission of the offence of which the Petitioner was found guilty: And humbly praying Your Majesty in Council to grant the Petitioner special leave to appeal from the Judgment of the Court of Appeal for the Windward Islands and Leeward Islands (St. Vincent Circuit) dated the 7th July, 1953 and for further or other relief:

10

"THE LORDS OF THE COMMITTEE in obedience to His late Majesty's said Order in Council have taken the humble Petition into consideration and having heard Counsel in support thereof and in opposition thereto Their Lordships do this day agree humbly to report to Your Majesty as their opinion that leave ought to be granted to the Petitioner to enter and prosecute his Appeal against the Judgment of the Court of Appeal for the Windward Islands and Leeward Islands (St. Vincent Circuit) dated the 7th day of July 1953.

20

30

"And Their Lordships do further report to Your Majesty that the authenticated copy under seal of the Record produced by the Petitioner upon the hearing of the Petition ought to be accepted (subject to any objection that may be taken thereto by the Respondent) as the Record proper to be laid before Your Majesty on the hearing of the Appeal."

NOW, THEREFORE, Her Majesty Queen Elizabeth the Queen Mother and Her Royal Highness The Princess Margaret being authorized thereto by the said Letters Patent, have taken the said Report into consideration and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf approve thereof and order as it is hereby ordered that the same be punctually observed

40

obeyed and carried into execution.

Whereof the Governor or Officer administering the Government of the Windward Islands and their Dependencies for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly.

W. G. AGNEW.

In the Privy Council.

No.17.

Order granting special leave to appeal to Her Majesty in Council.

22nd December, 1953 - continued.

A.F.4. TRANSCRIBED NOTES OF P.C. A.FORDE OF MEETING IN KINGSTOWN ON 12th NOVEMBER, 1952

Exhibits

A.F.4.

10

"Ex. A.F. 4."

Political Meeting of Hon. E.T. Joshua, M.L.C.

Delivered in the Market Square, Kingstown City, on November 12, 1952, at 7.45 p.m.

Transcribed Notes of P.C. A.Forde of meeting in Kingstown on 12th November, 1952.

Hullo, Hullo, Goodnight Everybody, I am only testing. Just a minute. ... Well, Goodnight. I shall begin this meeting with one of our regular songs. The song that we shall sing is the well-known one, "The Peoples' Flag. The Peoples' Flag is deepest red."

20

(The gathering then commenced the singing of the song.).

Well, I wanted to hear the stress on the lines which tell us "Though traitors shrink and cowards sneer, we'll keep the red flag flying there." Traitors and cowards are all around here. Sometimes they even get at the back of these meetings in the dark. Anyway, I shall hereby declare this meeting of the People's Political Party of St. Vincent duly opened.

30

Tonight's is a heavy programme. We shall first take the meeting of the Legislative Council of Thursday last. The speeches there were delivered

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

during my absence in the Island of Barbados. That was one of the most interesting and amusing meetings that ever took place in the local Legislative Council. I will always ask you to keep that note. In Barbados you hear of the M.C. Ps. A certain fact will startle you here tonight. You will remember that the Governor of the Windward Islands is the Governor-Designate of Barbados! Well remember I said that if Arundel don't govern you, you will govern him. That also was one of the statements I made in Barbados last week. You know too well that during His Excellency's last visit to this country, his reign only hung on a 1/1,000 part of an inch. Let me show you how that occasion was exploited by opportunist politicians. There are a super-abundance of these missions and not one of them contain any commonsense. There are too many scandalous politicians in that Legislative Council. Men move by spike.

10

I moved a memorial in that Council. In that Memorial it showed the fallacy of giving a country like this where unemployment is rife such a savage Government. Despite the fact that you returned that Government 'o power as one, you still see them in groups split up and in the midst is the Asiatic. That is the kind of thing you see going on in there today.

20

You remember I told you of the set-up known as the I.C.F.T.U. You remember I told you it is an international organisation. You have a right to know of all the facts. You have a right to know of all the traitors. You have a right to know of the things going on in the Colonial Office. There were strikes in America and little Schmidt was the victim because he was not in close collaboration with the Imperialists and their Governments in the Caribbean. Because of this, they formed a move to torture stalwart Schmidt. I would make bold to tell you tonight that were it for these Market Square Meetings, you would be kept and would forever remain in ignorance. Let me repeat that to you. You would be more than kept in ignorance. Wrong upon wrong and would be repeatedly done over your head and you would know nothing about it because there would be nobody to tell you about it. Well, Joshua intends to tell you everything these traitors intend to do; because of that, I will continue to hold these Market

30

40

Square meetings and you will hear all the truth of what is going on brought straight to you.

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -

continued.

10 We are going to leave that subject and pass over to another interesting one which is emigration. Do you know anything about emigration? Well, let me tell you something about it. You would not be kept in the dark; not when I know something. Well it costs this colony nearly \$200.00 (American) per man every time one leaves here to go to the United States. While that is good in a way, why cannot they take up some of the same money and do some other good for the place with it? There are many things here to be done and all these rascals in the Legislative Council intend to do is to get rich as they can and when the people find them out, they leave quickly because they have everything they want then and could afford to laugh when the people say that they don't want them any more.

20 Every minute they find out some new form of exploitation to kill you with. One of these new forms of exploitation is to set up now in Barbados under the arm and rig of the Hon. Grantley Adams, Q.C., C.M.G. When your Councillors tell you, don't listen to Joshua, I will expose them. I will see that all these traitors leave this country.

30 Now let me show you the painful influence of capitalists in the trade unions. When they have your funds, they would then go to their principals and seek up what they can get from them. You see, they are always out for grabbing money and are not interested in you. That is why they want you to be affiliated with the Organisation known as the I.C.F.T.U. This American Organisation continues to supply them with money and there is where they are forced to forget you, because they are receiving money for that purpose. A good Union should be independent of all capitalists. The capitalists take away all the funds of the Union. Nothing could happen to Joshua. You all would be just foolish enough to just sit and go from here to there and allow this and that Baynes and all his other friends to tell you a lot of nonsense. If you, in fact, organise yourselves, you would be safe from all these imbeciles of the I.C.F.T.U., who take up your labour and blind you in the eye and then continue to buy all the new typewriters, etc. All that which I have told you is included in the Conservative plan.

40

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

I will tell you something else. There is a newspaper in Barbados called the "Torch" which carries red headlines. It is the most influential newspaper in the whole of Barbados. Quite recently it carried an article dealing with the sale of poppies. Another good headline it carried recently was in the issue of the 25th of October, 1952. Listen to the headline. "Labour Day Political Council to Jump Adams." You know what is the meaning of the word 'Jump'. This is an article which was published in Barbados. "Labour Day Political Council to Jump Adams." It is necessary to isolate certain people. Labour leaders and certain politicians set up their plans for using up the people and in that way they become multi-millionaires. Whenever you pursue a course of true legislation, you are a hungry man. Especially under the economic stress of Baynes under which you suffer. Listen again to the "Torch". "Union Workers to petition Government." "Ask for promise to find the missing \$60,000. Money gone, Books gone, Adams on way out." You will see all that I am saying is true. As soon as they get Imperial titles and power, they are finished with you. Oh yes, all those are the "Torch" headlines. Another one tells you "Commissioner of Enquiry Coming".

Unemployment is not included in the plans of the I.C.F.T.U. The plans of the I.C.F.T.U. are only a mass of paper to make trade unions idiots, especially when you see such headlines. And when a voice like that speaks to you, the others get from behind and put it out of centre. The I.C.F.T.U. will not make anybody push away the worthless parts. Not them. They are there to corrupt the good unions. They give out the American gold. The men are not at all discreet. They don't anticipate the feelings of the people, so they tie their own hands. They cannot come out here and say one word. It is just their own scheming when they say they done with politics in the Market Square, and then commence to write a lot of stupid articles in the local Press. All kinds of foolish articles they write about Joshua. I have taken all the reports. They are like a lot of counterfeit dealings. They tell you they will bring the culprits to justice. When? All those are only their plans. If you begin to move and think like me and begin to influence the people, everybody like them would wish that you were dying.

Ask Baynes what Joshua has done. He will not be able to give you an answer. After their iniquitous Conference failed, they came out then in the Press. I have an answer here for Mr. Baynes tonight. I will be up and down the Caribbean because you must be in the lime-light. Therefore, in every place I go, you will hear certain things as soon as I turn my back. You must ignore all the things you hear about me from those rascals. Those men mind their own business. The schemes they have worked out for you is that you will always go into the Town starving. They play that they are clever. If there are nine men and an extra one is a bull-dog like Churchill, what then? I will make them political asses at all time. A certain man told me in the Council on Thursday last, "whether you are out of the colony or not, all the documents will come to you."

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -

continued.

I moved a motion for the purpose of having the prisoners get accessories. It was rejected because it was me and because they knew that they had men knocking their heads together. I have seen Mr. Tannis abusing certain things in the Parliament too. Tannis still turns back and serves the people he says are his political agents in the Grenadines. I am saying now that I am still satisfied that at last Tannis has seen the light on his weary Damascus road and is now trying to turn back. Like me, he is seeing that there are thousands of down-trodden people here still under the yoke. That is sufficient to make any man turn away from his former indifferent ways, but there are still many who can see the yoke is on your shoulders and turn their backs to the fact. Tannis, apparently, has had sufficient of it and has decided to turn around. When those people whom you have returned to the Council do not serve your Wills and know so deep down in their hearts, they should resign manfully. What would happen then?

But what transpired in the local Council about that motion I tabled about the proper accessories for the prisoners? They tabled the motion, and, My God, they decided that proper accessories are at the Prison and that the conditions are good. Furthermore, Baynes and the others got together and decided that they will form a Commission of Enquiry. What do you think of that? Look at the rascals. You see the point? When they do all

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

that, they go out and ask you for votes. Don't give them not one of those seats over there. They are making this St. Vincent a hell-hole. I go all over the country and I manage to know. There is something else about these Overseers in the country districts.

With these Overseers, when your women are not sufficient convenience for them for this or that, they are given six months' notice. Well, that is wrong so I moved that when any notice is to be given, sufficient notice should be given so that if the people have planted any long-term crops, crops which would take a long time to reap, they should be given the opportunity to reap them; instead of going away and leaving. I tabled the motion and I heard nothing about it. Thousands of dollars are continually voted from this poverty-stricken government. Does any of it go to your benefit or help you in any way? Some time ago, the river opposite Mr. Henry Coombs' place flooded and washed down the peoples' places, their belongings and all other things. The majority of this is taking place at a point where corrosion is always going on. Not one cent was spent on anything of that sort for the benefit of the people. They say that that is my constituency, but although I have barked so long, those powers would not budge. You see those men going along and would not even notice the poor, down-trodden people in the country. They also get their bright, shiny motor-cars and pass you along the streets and you are the ones who put them in the positions they are in. It is all your fault if you do not unite. It is a matter for you if you want to be trodden all the days of your life, by those slave-masters you have to deal with. I am the only one who is willing to help you out of the economic plight that these men are putting on you daily. It is up to you if you do not heed the warning; the only warning that you will receive. because Baynes, Slater, and all the others are not going to give you any warning. I am not the kind of man to make such proud boasts that the others continue to tell you. I talk plain. In Barbados, in the Lower Greens, I used plain talk to several thousand who were around me, although I was in their country and showing them certain things that their Leader had failed to do. I am the man who is keeping the peace of this country. It is a fact, whether you believe it or not. Those fellows

10

20

30

40

somehow believe otherwise. These men, I tell you, are bare rascals. They never take heed of the Government funds. It is only about their cars that they inquire about.

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

10 After that great Leader, Mahatma Gandhi, had fought so valiantly for his people, you remember how he was treated. For years he was abused, put into the Prison, put to all sorts of disgrace, but he achieved his end. After he left, the job was easier for his successor, Pandit Nehru. Gandhi's preachings were just like mine. Everybody laugh and scorn him. Everything I say is nonsense. Those brate got one side and say, "Don't mind him, we'll soon fix him up." They told Gandhi and Our Lord the same thing, so it does not worry me in the least. Even the British had to admire how Gandhi went about his task. He, however, succeeded in making a great and independent India. Treachery was his downfall. His own men shot him and then
20 were sorry. If you like, you can shoot me too, but at the same time it is you I am fighting for. I eat the same thing you eat every day although if I like, I could carry on with Baynes, Slater and their hypocritical friendship. If I assist them to keep you in the dark, we would be great friends, but Joshua don't want that kind of friendship. I prefer to work like Gandhi; all alone; until I succeed in my task, which I am setting out to do. That is why I am going to keep these meet-
30 ings in the Market Square every Wednesday night: to educate you about the things you know nothing about and about the plot they are making to destroy or fool you. You will remember that Gandhi fasted 40 days like Christ. He impressed the British and they asked him if he needed protection but before he got that protection, he was shot and by a Hindu. The glory that he gave the nation would not have been his, if he had died a natural death. These dirty rascals in the Legislative
40 Council here would pay any man any amount of money to murder Joshua, but they cannot succeed yet. Before some people do that, they would rather shed tears. Some of these men had better be careful how they go around filling the people with lies.

Lately I had to go down to Chateaubelair. I had to go down there because certain of my men were involved with the Police. All who were involved with the Police, were members of my movement. I

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

went to listen for myself and hear for myself and see for myself. All around how I go about, I can see a number of wrongs being done all the time. When I was there, I met Mr. Slater and I told him the real reason why I was going to the Leeward. Now, that same Mr. Slater, when I asked him once to second a certain motion for me in the Legislature, he stared at me and said, "Man, I am not going to second any damn motion for you, man." Comrades, I doubt if anybody has ever considered my sufferings, my grievances, or my heartaches. I have got all these things, because I am out to turn over this whole place if you would organise and fight for your right. I have got all these things in my natural life of 35 years. This is not the lessons of the Greek philosophers. It is a lesson that I am giving you. It is the lessons I am telling you about the fellows who believe that money is all. They are an ignorant bunch. They don't count learning here. They only count bank notes. They don't pay any attention to the talk I am giving you here. They call it ignorance. Self-possession and self-control they call foolishness but I know what I am talking about, because I was a school-teacher for a number of years. Everything must be governed by self-control. These Market Square meetings have got them mad. After I get you to understand me and what I mean, they will be more than mad. Especially Baynes, Slater and all the others they are continuing to bring in our Government. They don't like this type of talk. They boast with their greed and their ill-gotten gain. Why then they are so worried about me? I cannot understand what they are so afraid about. Let them keep their treasures. Their brain is no use and still they don't count brain. If I go hungry, I will get a bread before any of them. I don't want to miss the point.

10

20

30

Now there is a misfortune facing us. You know I told you that last Tuesday was a very sad day for us. On that day things went very bad for this country. If I go to the Gaol I do not care. On the 15th of October the worse type of ill-gotten brutes were returned to the Legislative Council in this island of ours. The worse types of tricky, despicable brutes were returned to the Council that day. I will tell you something. Baynes is making a big fool of himself. He is making one of the greatest fools of himself. He believes that he was

40

born in Buckingham Palace. He believed that he was born with a gold spoon in his mouth. He is too arrogant and proud. Those brutes are the type of men who are making you bleed. That is the gratitude you will find in that man after you have put him in that high place with your votes. These Market Square meetings are the gravest charges that Mr. Baynes can lay on me. Had I kept up the hypocritical friendship with him, we would be going good good. Even so, Joshua would still be made a fool. That is the position. "The son of Man hath nowhere to lay his head." I am just like that because of my sufferings for you. Those are the type of people running this Government and this country.

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

Comrades, let me tell you this. I have departed far from my father's policy. I am a big man. I am not an idiot. I have two 'foots' and a brain like them to work like them. No person has heeded these things. Joshua is not a human, you know, he is a machine. The worse politicians in the world are here. You would not believe that. The most cruel, wicked brutes God ever made, he made in this land. Now let us get back to the point. Give me a hearing. Let us get back to the point of this American emigration. Yes, friends and comrades, let us get back to this American emigration. On the last visit of the Governor here, I had a chance to make this statement to him. I said "Your Excellency, you cannot afford at this time of our doom to go ahead with this scheme. If the Colonial Office know of the facts and those facts I put before you, they would deny us it." On that occasion, Mr. Baynes seized the opportunity to speak.

I was amused to see an article in the local newspaper. R.E. Baynes is continuing to write a lot of lengthy articles. I put in an article three weeks ago to publish. The "Torch", in Barbados publishes the truth. This man also sends articles to be published in the "Advocate". Now, thousands of dollars cannot mean anything in the world to a document. Not a proper document. In Barbados 3% of the people are ignorant, but in this Island, 40% of the people are ignorant. Those people I told you about, glory in that fact. I even told the people in the Lower Greens in Bridgetown that when I was there. I said, "It is to your shame: that although you have only 3% of the

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

people who are really ignorant, yet you are still being sold out." "It is to your shame. These men plan all the time against you. The Memorial I told you I forwarded, reached all over the world and to the Secretary of State for the Colonies. It even reached to the Colonial Office. I pointed out in my Memorial that half the money would be better spent on Social Services. Education and things of the like, instead of being wasted to take away people for very short periods and sometimes it is only a failure. I also pointed out the high cost of living. These men now think that they can fool you. They are at the back of this meeting listening. Let them listen. The Governor himself could be in the Police Barracks. Yes, in that memorable memorial which was read for you when the Governor himself was here. He knew very well that his day was up and that the document had reached the Colonial Office. God only knows what instructions the Administrator had on his return to Office.

10

20

Mr. Charles too has made a motion. Charles himself will tell you just what I told you about the I.C.F.T.U. He will tell you of the American system of delivering their gold to the small Unions to part them up. We are not interested in the I.C.F.T.U. We don't want any disunity if we organise. They are very particular about encouraging a disunity in the West Indies. They always like to see the workers divide. Now, it is getting on late and I want to tell you of another injustice being done by the rascals in our midst. It is about the Police.

30

You remember how I told you last week that plans are being made by certain people to keep St. Vincent completely in the dark and ignorant. Well, this is what they are doing and one thing that I would never agree with, no matter what I am called on to suffer for it. No Policeman here could ever leave this Force and go into any other Force. He would see hell before he gets into it, because they all feel that the people here are very ignorant. Well, why now are they bringing down a lot of outsiders and promoting them over the heads of the sons of the soil. It is wrong and unfair and should not be done. That is why I am telling you to organise yourselves against these traitors who are not doing any good for you. They don't like you. I am the only man who care anything about

40

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

you, so I am appealing to you for your support, especially the workers on the waterfront. \$100,000 (American) are being spent to keep you in ignorance. You must listen to me and remember the story of Herod's wife. Why do you think they are using such handsome sums of money? They are getting it just to fool you. That's the reason. All the strangers you keep see coming around here are joining with the rest to fool you also and make you continue in misery. It is a big set-up of Imperialism. They are spending thousands of dollars on arms and the like just to continue to fool you. Look at the English Workers' Journal. I spoke of it in the meeting in Bridgetown which lasted nearly a half-hour after mid-night had passed. Now these traitors are here telling you something different all the time. Fools, I will read to you certain parts of the Journal. In the head it says that there is a plot to destroy the C.L.C. The C.L.C. means the Caribbean Labour Congress. It will hinder your advance. The C.L.C. guards you against the traitors. Paynes should be imprisoned at Her Majesty's pleasure. Something is rotting in these men brains, you know. The I.C.F.T.U. pursues a policy of breaking the labour movement. In the English Workers' Journal, we also see that Mr. G.H. Adams is returning from the meeting of the I.L.O. in Berlin. All those articles have left a fishy smell. I could tell you what kind of smell it has left. I said to Mr. Adams, "Are we, as leaders, going to seek bare titles?" Adams said, "I am here on a mission and the others can tell you that there will be no division." At the present, Norman Manley has gained partial success in destroying the P.N.P. Union. He also is willing to join the plot. I bet you that Cheddi Jagan could be three times as high and four times as rich if he decided to help destroy Socialism. In Barbados the plan was launched. In it, it was decided that Adams was to act ultra vires. He highly and high-handedly joined in. The course was set. The Divisional Secretary, Mr. Richard Hart, was also allowed to join in. All those are details of the plot that was indirectly hatched in London. It is now being widely read. The I.C.F.T.U. was also conjured in. All these are the actions of these violent and high-handed dogs. The Colonial peoples are still waiting for better standards and better wages. They want higher living standards. The pamphlet goes on to show how it all goes on. Gomes

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
12th November,
1952 -
continued.

is a Councillor and uses a big method. Gomes, however, is like a big rum puncheon. When he falls down, you have to get a block and chain to pull him up. One day he threw himself down and was nearly arrested. Today he is a vital part of the Empire. They sent a telegram to Barbados telling them that they were going through. All these selfish brutes keep themselves together to sabotage and keep Imperialists as the rulers and kill you out. Shoot me! Bammmmmmm and let the other brutes look and see. You think these people would believe in any God. The brutes never heard anything about that. Those men who you put in the Council and all the others all over the place are only looking for C.M. Gs and Q.Cs. They want to set up a West Indian Organisation to suffer people. The plot unfolds with democratic bankruptcy. Imperialism has reached a new high. Our move is to make every Capitalist plan break down. You are the creatures in it. Your Councillors are the detriment to you and that is their aim. Marryshow came down here and used certain remarks about a plot that failed. Because of that remark, a certain plot turned back.

10

20

When we see certain things, we praise. We saw a certain article that was good and we wrote the following. "We observe that you are planning a magazine for the upliftment of the peoples. We are grateful to the Editors for the inspiration in the task. Before I close my meeting, I will tell you that there might be four Joshuas but the only one who is going to show any interest in you is Me, Me, Me. I will now take a rest until the second instalment next week. I will just remind you that in 1948 in the famous Bus Strike, another popular leader was arrested. He was Mr. Ken Hill of Jamaica. He was arrested and charged with sedition. All of those, my comrades, we must suffer. My comrades, your friend Forbes will now give you a few points before we close this meeting. Adams will continue to receive his Imperialist orders and our traitors will do their work all the time. It is up to you. Men like Charlemagne, Louis XIV and Hitler, all those men suffered. They tell you of the Iron Curtain in Russia. The only place that there is an Iron Curtain is in the West Indies and it is the worst in the whole world. The C.L.C. tells you of the enemies you have. It would have been better if all the men like Baynes had been born as

30

40

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
12th November,
1952.-

continued.

10 still-born babies. I have a magnetic mind. My
mind wonders to know why the Americans treated
Adams so after he received their money. You have
to feel shame, I told the Barbadians. Despite the
fact that your House is fully elected and despite
the fact that you are far advanced. You are very
intelligent people, though, I gave them their due.
The workers in the Colonies are being made fools
and are told things that really don't exist. Mr.
Charles is being made a stooge, I say. Why are you
being made slaves? Why are you not like the work-
ers in Barbadoe and Trinidad? Why must you con-
stantly hear lies about Stalin and the Russians
and the Iron Curtain? No Iron Curtain could be
more wicked than the West Indian Iron Curtain.
Stalin's speech stresses the course of our politi-
cal economy. They will tell you all kinds of
foolishness because you are doomed for a course of
servitude. All comes from this despicable state
20 of affairs. Those fellows stand up in the Council
Chamber and talk one kind of thing and still lick
the boots of the Imperialists. The only system
under which all workers should exist, is under the
Socialist system. Call it what you like: Commun-
ism, Leninism, or any kind of dam "Ism". It is
your only salvation. The people in Britain bound
to be starving because they are spending millions
on rearmament. Britain is carrying on one of the
biggest arms programme in the world. Don't mind
30 the Big Four and don't mind the traitors. They get
together and they say they form up in delegations.
Look at the Mau-Mau Secret Society. You see how it
is being persecuted. Why is that? Because it is
a worthy cause. Thousands of them are being tor-
tured in the Prisons. Even all the way down in
Uganda, the traitors are at work torturing the la-
bouring and unfortunate classes.

40 Waterfront men, let us organise ourselves.
Let us unite. The enemy afflicteth us, but those
who believe will believe. I am here to help you.

Comrade Forbes.

I am not going to be too lengthy tonight. All
I am going to say is that we have a labour leader
such as we have never had before. We have a more
militant leader today than we have ever had. Since
that is the case, we should organise ourselves.
Those men whom he told you are driving about in

Exhibits

A.F.4.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
12th November,
1952 -
continued

their cars, bright and shiny, are only here to fool you, but I hope you have heard what he told you and decide to unite. It is time for us to organise ourselves. This island has in 65,000 people and Barbados now wants to tell you what type of Government you should have. Some of these call you aside and tell you not to unite, but you should ignore them. Some men are as afraid of the grave as if they thought that they would never die. We have a more militant leader here than the leader in Barbados. This is the leader that is going to save St. Vincent. Believe this statement! This is the leader that you thought you would never have in St. Vincent. This leader is your Champion. Now this is no time for delay. The time for organising is past. Let us join together right away.

10

Mr. Joshua.

Before I bring this meeting to a close, I would just remind you of the Dance which is to be held on Monday next at the place I have already announced. It is to be in aid of the Joshua-for-England Fund. Please give me your support.

20

A.F.6.

"A.F.6."

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
20th November,
1952.

NOTES OF P.C. A.FORDE OF MEETING IN
KINGSTOWN ON 20th NOVEMBER, 1952.

POLITICAL MEETING

Held in the Market Square, Kingstown, at 8.00 p.m.
on November, 20th, 1952, by the Hon. E. J. Joshua.

30

We shall begin our meeting with the singing of the hymn "O God our help in ages past." Lighten our darkness we beseech thee O God and defend us from the perils and dangers of this night. God be merciful unto us and bless us. Glory be to the Father and to the Son and to the Holy Ghost. Amen.

Friends and Comrades, I was the most surprised

man in the world and I am still the most surprised man in the whole world. I am still surprised as long as this state of affairs exist. I am heart-stricken to find that the source of discouraging and causing the disunity of this country among the workers and the citizens here is to be found among those who were elected by you to the Legislative Council on October 15 last. The men who you selected to represent you there have turned against you and are now furthering their own selfish interests.

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

10

There was a political meeting at Chateaubelair last night and one of the opposing speakers there was Mr. Slater. He told the people that I opposed him and am only serving the interests of my constituents. It is Mr. Slater who has opposed me. If the people of this country would understand what they are up against, they would form themselves into a powerful bond of unity to unseat the Government. If you listen carefully to me, you would see reason in what I am saying. Mr. Slater last night told the people of Chateaubelair that Joshua is treating his constituents like the Romans. I was there and I listened in rapt attention and took notes. Finally I replied to him. I told him that this is no time to gratify the aspirations of two or three men. This is the time that the people of this country should get together and save themselves. Mr. Slater told the people on the Leeward coast that I am treating them like the Romans. These men, I tell you, find it better to be anti-Labourites because they have something to lose. Joshua is the opposite because he has nothing to lose. I was the most surprised man in the whole world to hear that. The people of the Leeward cried because they acknowledge me to be their friend. Imagine a man like Mr. Slater telling the people that. He thought that he could have swayed them and send them stampeding to their houses. These men are seeking power. They want new cars and are making friends with the Imperialists. The men in the Council Chamber do not want any unity.

20

30

40

Before the meeting of last night, I printed a powerful pamphlet. The Peoples Political Party will hold a mass meeting. It will be held for the prime purpose of getting the people in St. Vincent well organised. It referred to the mass meeting which was held last night and at which Mr. Slater attempted to fool the people but Joshua was there

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

and when I answered him, he shook, because I spoke as I had never spoke before. This pamphlet had so incensed Mr. Slater that he went up there to defend himself. I talked in Barbados like I had never talked before. If a man is so desperate as to wish to deprive the people of knowledge, he must cry out when he hears the sweet notes of music pouring out from someone like an artist in a laboratory. Some of them are crying when they see the masses getting sense. Before the elections in October, Joshua held seven meetings in one Sunday without any food. Those heartless brutes. They have no feeling. We cannot do one thing unless we are organised. Then when we are able, with Joshua's intelligence, they would be up against it.

10

They are writing letters in the newspapers and now they are using non-de-plumes instead of their real names. They are suffering from frustration, qualms of conscience and everything else. They don't know what is happening today. When I set out to defend you, I knew I would get no praise, no honour or anything at all. I knew I would have to direct the people. Nothing could happen before the time and everything is in God's good time. Morris was the most surprised brute after seeing the pamphlet that was printed at the Reliance Printery. They could never understand what Joshua is saying. I am the most impressive leader in the whole of this country. The others have broken their sacred trust in one single day; the same day they were elected. I seek God to help me in this work I am doing. Let us go to another point.

20

30

Mr. Slater tried to play a game on me last night, but the power of my voice subjected him. He didn't know what sort of voice was speaking. The pamphlet was mainly saying that the people of this country must be organised. That is what they are afraid of. The people up there were hypnotised by my notes. Poor Slater himself was hypnotised.

The complaint now that we are making is that the Colonial Office is offering to us now this Ministerial status in the various colonies and giving each Minister his portfolio. We don't like how this portfolio business is working. Look at how it is working in Trinidad. How can a man like Roy Joseph be a Minister of Education and knows nothing about Education. Albert Gomes is the Labour Leader

40

and has never laboured nor was he a good labourite. Victor Bryan is the Minister in charge of Communications and Works and has never before been in a scientific School. Why don't they get Ministerial status here and make Charles the Minister of Education. Ha, ha, ha. It is a set of nonsense. Look at the crime and the Jesse James affairs that is taking place there with their five Ministers.

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

10 Comrades, help me. If Joshua fails, you will fail and be lost. Yes, that is how we are deceived. Comrades, one of the most wicked and deceitful of all the Governments is the Trinidad Government. It is a place with 600,000 people and it has a cheap wicked kind of constitution with five Ministers who will never enlighten the people. That is the position of the Trinidad Government. The Colonial Secretary, Mr. P. Renison, is now the Governor-Designate of British Honduras. Once he wrote the Peoples' Political Party a letter too.

20 The sacrilegious motion that was moved by a member of the Legislative Council failed. I bluntly refused to put my name on something to break up West Indian unity. We must get men like Grantley Adams. The Ministerial set-up is all nonsense. The people in the Government want to see you in ignorance and poverty. Charles was aided and abetted by the Administrator in what he did in the Council, but he succeeded in one and he failed in the next. He meets trouble all round, even the
30 woman he lives with gives him trouble sometimes. There is an immoral smell in something he did. He didn't even know an addition sum from a subtraction. That is the state of affairs we receive under the hands of the Ministers and these men we have here are also clamouring for the Ministerial set-up also. I could tell you how these men set out to accomplish their aims.

40 Now when I tell you to get organised, I tell you it for a specific purpose. Mr. Slater failed to break up my meeting last night when I was talking to the people. They are begging for these portfolios like the children begging for their bread. They know that Joshua would never bow to that scheme. Whenever you receive a Ministerial portfolio you have to resign from any activity in a Trade Union. I wonder if they never think of the people who have returned them to the Council. I

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

would accept no Ministerial power. If you bind yourselves together, you would be better than these men. They are afraid of that word 'unity'. These men take themselves apart and decide to be anti-labourites.

The type of man Joshua is you can only use him once, but only once. Once for good. If I find out that you are a really genuine person and one who is willing to put aside greed and do something for the good of the country, I am willing to be your partner, but if I find out and when I find out to my dismay and amazement you are just the opposite, I am done with you. They are trying to bring pressure on the people. All the time I behold men clamouring for Ministerial positions. Joshua is not trying for any of these positions or for any of the portfolios. The Imperial Governments are offering the Ministerial positions to them. They would blind the Ministers to take the blame for any wrong that may be done. The Englishman is a very clever worker. Minister what? Poverty, sin and shame? Just give us a chance. If the people are united, those things cannot happen. Look at another ridiculous thing. They are planning to give you different electricity. But they are planning to run the lines along certain areas. Still the ordinary people don't seem to understand what kind of people they are dealing with. Those men do not understand that they have an obligation. When you have a stooge and a traitor to deal with. you must get things that way. Why can't they give the people of Camden Park electricity too? O God, St. Vincent is a wicked place. If you see some letters that I am receiving you would be shame. The people here are so wicked and vicious, they would blind you without blinking. You could never do anything properly in this country. They are getting the hydro-electric and setting up poles. When your men fall down from off them and break their necks they would get nothing. When you write to them, they don't want to reply. From 18 years old, I started a life of Justice in this country and got many names for it. Comrades, I never see a more corrupt country like St. Vincent; with such parasites - merciless parasites. Those who think they can make a Union among themselves and suffer the poor. They are making a big mistake.

Friends and Comrades, I will like to tell you

about the men I told you about in this Market Square a couple of Wednesday nights ago. When we form a group and see what is happening, so much the better. I have 100 copies here of the English Journal which were sent me from England. It is better that you got a copy and read it for yourself. I am about to get a proper printery. I cannot understand those things no longer. We want a paper here to get things printed.

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
20th November,
1952 -

continued.

10 Now. I have not yet got my "Torch" from Barbados for the 15th of November. I have one for the 8th, and I want to tell you about some of the things in the Editorial. It contained in it certain things Mr. Adams said about the meeting which took place the week before. The Bajans tell us that we have more worthless schemes in our Government than theirs. I wonder if you understand what the headlines in the "Torch" tell you. I want the "Torch" of the 15th. I don't know why they have
20 not yet sent a copy of it. Mr. Adams will have to make a defence of the headlines in the "Torch". The meeting I went to was one of the best ever held in the Colonial Empire. Adams now holds the titles of C.M.G., Q.C. "A meeting took place in Queen's Park last night. It was to ensure some accuracy and to dispel the lies that were about and the distortion of the facts. It was this commendable meeting that took the people of all the 11 parishes to hear it. The people accepted
30 the invitation hoping that the rash promise to tell the truth might not become too formidable.

40 It is bad when the President of an Organisation attempts to betray his co-workers and his colleagues. It is profound indecency. Marshal Tito is the man in Yugoslavia who has broken away from the Communists but he is now the interpreter of Communism and is preserving the country from Stalinism. The President of the C.L.C. is now alleging his colleagues to be Communists. They must have been Communists for sometime and he is now hoping to shake off his association with them. He is tired with the same British. His only hope to clear his name is to pronounce himself as the Tito of the Caribbean. After that, he could lead them into a land flowing with milk and honey. Just like what Mr. Slater said last night: "You would not understand because you are all illiterates." I hope that we will all one day be the same. He

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

should preach the doctrine of Communism and worship the hammer and sickle. If in the "Torch" the Editor praises Joshua after his departure, you can see how influential he was. You can see the dangers of Ministerial status. You have to prepare to do one or two things. Proclaim it from the house-tops. They are all a pack of villains. I am sorry that riches come to those who cannot appreciate them. The miser will watch money and if he thinks that if he closes his eyes it will be stolen, he will keep them open all the time. Those are men that have no reason and who know no God. I am convinced that the worse type of political brute in the world were the ones who were returned to this Legislative Council on Oct. 15. I never knew I lived in such a wicked place until recently. Every time I read the English Journal I feel shame. Those brutes have gone right back and shook hands with the same people they were against behind your backs. They are political asses and they lack knowledge. Grantley Adams has grabbed at C.M.G., and Q.C. Baynes should be still born from his mother's womb. I pointed out to Mr. Adams that after the people had elected them, they should not turn their backs against them. I have received an invitation from the Government to attend something or other aboard the H.M.S. 'Bigbury Bay', when it arrives here soon. The sailors on the ship mean more to the people in England than the Government which is ruling them.

10

20

30

If you stand for Labour and for the poverty-stricken people of this country, be careful with your life. Therefore it is a waste of time sending me their invitations. Be careful with your life. I am keeping up with these meetings for the benefit of the underdog. The low-minded frauds in this country say that they beat Joshua in Barbados. They say that a prophet has no honour in his own country. I went to Barbados and the people said that they did not know a man from a small island could talk like that. When I come out to tell you what is happening, another man tells you not to listen to what I am saying. If you read what the nations are doing, Canada, Great Britain and all the others, and if you read about the atom bomb, you will wake up and understand yourself. I cannot understand how you all can be so comfortable and so many things are going wrong all around you. The roads are in a dangerous condition and you are

40

10 paying your taxes and still would not see that so many things are wrong. You should get closer together and organise. At the same time, they are making a very serious mistake. You will see the difference if another war breaks out. You are taking the advice of these people and you think that they are your friends, but you are wrong. You want those with the big ships and those who have the big shops that you think are feeding you. They cannot bring any of that kind of stuff to Joshua. They cannot bring it to intelligent people because they would get what is coming to them.

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

20 One other point I would mention tonight is that the Police should not take sides in any kind of political meeting. If they are present at the meeting, they should not intervene unless it is very worthwhile. They should not come around with the object of forming up something against the person holding the meeting just because they were put up to do something. My days are numbered in God's book only. At my death I will be said to be an intrepid leader of the people. If I am to be shot by an assassin or stabbed, that will be the end of Joshua. No man can cause me to sell my manhood. No man can make me less than what I am. The hypocrites will tell you the same thing that Slater said last night. I feel I am to take part in the life of this country. When I think that certain things are true, they are false. Slater is the counterpart of Baynes. I said you ought to be shame to tell these people these lies. The Police should not take part in politics. When there is a disturbance between the public, they should intervene then or if there is any disorder. These men are wagging their political tails between their political legs. If I had a Press of my own, I would run them through the streets. They think that they are smart.

40 I had a paper from British Guiana which contained a clipping saying that in a certain part of Africa, many of the Africans were killed by the Police. It said that it was stated that the Police were removed and that sporadic fighting continued, but you should think of the reason for all these outbreaks of fighting from time to time. Comrades, it is all well and good to sit here in complacency and do nothing: but all of these things you see happening from time to time are the outcome of suppression of the people. The people are

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
20th November,
1952 -
continued.

fighting for their right. The others are trying to persecute all the Trade Union leaders who are defending the people.

In Barbados, Grantley Adams is resigning for a Ministerial position in the Government. He is now resigning after getting two titles because he is going where he wants. After they get the Ministerial titles, they leave the people because they feel they cannot worry with them any more. Just like Norman Manley in Jamaica. Great Britain, the U.S.A., and the Netherlands have all joined together and formed the Organisation called the I.C.F.T.U. This is backed with the Americans gold. When these people find a stooge, they give him anything because they can use him: no matter how ignorant he is. I cannot understand why the people here are so stupid. A serious crisis is facing up in front of us in the welfare of our state. In the U.S. 23 regions are facing unemployment. The number of workers employed under the National Scale has fallen between June 1 and December 5 by 14.5% and in the automobile industry by 8.5%. If they allow things to continue like this, they are only heading for the same kind of trouble as in the years between 1937 to 1939. The men in the Council are being used. My father before me was an honest man and I intend also to be an honest man. I know that St. Vincent was always a worthless place but since I stopped teaching, I have found it out more. You would not know until you get into the Government like me. All this is why I see and know. They are living in the hope of making Joshua a stooge and then they will destroy you, but it cannot happen. That is why I don't want any of their invitations. If I were not Joshua in the Legislative Council nobody would send any invitations to me, so why are they sending them now? They don't have any uses for the coloured people. Nothing happens in Barbados that Adams knows nothing about, so he is the instigator of the banning of Comrade Ferdinand Smith. You think I believe that Government care anything about me?

All over the West Indies the people think that you are the most illiterate people in the whole world. Why then don't you get up and do something for yourself. Our schools are overcrowded and everything is wrong. The people here would

rather clear up a place for the erection of hotels before they think of building another secondary school, to relieve the congestion in the Town. The children are exposed to danger coming in to the town to go to school. I am finishing this address to you by putting up four points for them to consider.

Exhibits

A.F.6.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
20th November,
1952 -

continued.

10

(1) In the new hydro-electric scheme, light must be put through Camden Park (2) The savage and dangerous roads that run between the area of Georgetown must be attended to and fixed properly (3) There must be proper hospital conditions at the Colonial Hospital and (4) Consideration must be started at once on the erection of a new secondary school to relieve the congestion at the one in the city.

I am telling the slave-masters to attend immediately to these faults in our system. Until next week, I say, Goodnight Friends and Comrades.

20

A.F.2.

A.F.2.

TRANSCRIBED NOTES OF P.C. A. FORDE OF MEETING
IN KINGSTOWN ON 26th NOVEMBER, 1952.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
26th November,
1952.

POLITICAL MEETING

Of Hon. E.T. Joshua. Held in the Market Square,
Kingstown, at 7.45 p.m. on Wednesday, Nov. 26, 1952

30

Goodnight again, everybody, Friends and Comrades and everybody alike. We shall begin this meeting with the singing of the hymn, "O God our help in ages past." Let us sing the hymn. (The gather then sung the hymn). Let us now sing our favourite song with the emphasis on the lines, "Though cowards shrink and traitors sneer, we'll keep the Red Flag flying there." 'The People's Flag is deepest red.'

Friends and Comrades, I now declare this meeting of the People's Political Party well and duly

Exhibits

A.F.2.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
26th November,
1952 -
continued.

opened. On Friday last, the Hon. Slater and the Hon. Baynes went up to the constituency which I represent and told the people there that I don't care for them. The reports came to me that these told the people in my constituency that I don't care for them. That is what these men are doing all the time. And not only that, but these two men are ridiculing me all over the place, spreading a lot of worthless information all about that Joshua is not caring for the people. It is a lot of ridicule for me that these men are doing. They are carrying out a programme of ridicule everywhere they can. They are walking about making a lot of threats and that place in my constituency is not a place to make threats. This is not the time to make any false threats to the people either. The people in my constituency are not going to believe anything of what either Mr. Slater or Mr. Baynes told them about my not caring for them. These rascals only seek to fool the poor and unfortunate in this island by continuing to tell them that they are illiterate. But they will be illiterate indeed if they allow themselves to be fooled by all like Slater and Baynes. They want you to be illiterate. This fact causes me to come here every Wednesday night to tell you the truth. You are my friends and you can believe I will do my best to save you from these traitors.

10

20

My Friends, I have to make some comments tonight on the recent attitude of our Policemen. They have been doing some things quite recently that are obliged to make me comment against them. I am satisfied and convinced that just as I told Lt.-Col. Randolph in his Office, the Policemen in this colony are taking sides and are scheming politically against certain people in this colony. I was also told that Charles and the others are walking about making a lot of threats. For this reason, the Policemen are storing up a veritable arsenal in the Headquarters. They are storing up this arsenal to shoot you down when you decide to fight for your rights. I have on many occasions pointed out the seriousness of making the people of this island bitter against one another and it is again happening in our midst. That is why they are storing up this arsenal and with that, Charles, Slater and all the rest are joining in the plot. They have a veritable arsenal to shoot you down like dogs. I told that to Mr.

30

40

Exhibits

A.F.2.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
26th November,
1952 -
continued.

Randolph. It was quite clear to me when I said that the Police are taking sides and I drew his attention to the fact. The Police Force are taking political sides with these stooges in this island. Who told Policeman Findlay that he could be the Chairman of any political meetings in this island, just as he did the other night? I want to know who told Policeman Findlay that he could ascend on any political rostrum and take sides with any political brute in our midst. When Findlay and the other Policemen come to our political meetings, they are there purely for the object of allowing the proceedings to be conducted in an orderly fashion. They should not be allowed to go up on the political platforms and take part in the political meetings as Chairmen. When these men continue all this dirty work in the Force, suppressing certain honest men for the benefit of all the other political dogs in our midst, they still don't get any reward for it. They are thrown out of the Force in the same ridiculous fashion as if they did not do anything extraordinary, so what is the use of their taking political sides for certain people? You want to tell me that a man is working for the Police and should be allowed to come into a political meeting and go up on the political rostrum and do as he likes? We must not be contented with this state of affairs in our midst. The public must not be treated like that. The Police must stop taking sides and when invited to any political meeting, they must act as Policemen. These men we have to deal with are dogs and they can never serve the people as they should. I have noticed certain things the Policemen are doing in our midst, and I am taking very serious notice of it.

You remember a certain motion I told you was moved in the Legislative Council, saying that Joshua is connected with a Communist Organisation? Well those same organisations will one day come to our aid. These organisations will even help Joshua if he has to go before Her Majesty's Privy Council for any kind of scheme drawn up against him. Let them continue with their propaganda that Joshua is doing this thing and the next thing. The longest day has an ending. All kinds of attempts and bribes will be made to remove me from you. but I will go on to the very end for this cause. Let Baynes and Slater continue to say that I am not

Exhibits

really fighting for your cause.

A.F.2.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
26th November,
1952 -
continued.

I refuse to believe that the successor to the former Superintendent of Police. Mr.Randolph, will agree to the Policemen becoming any political this or that for any of these Councillors here. When men turn and decide to do those kind of things, what must we expect next? If these reports continually come in to me, I want to know what right then these Policemen have on any political rostrums when the meetings are going on. If it continues to go on like that, then a Judge will have to decide it one way or the next. We are going to suffer in this colony for these wicked things of ours that we are doing. I do not mind who say that Joshua is suffering, fighting for the people's welfare. I want to die suffering and fighting for your rights in the struggle for your enlightenment. When you set out to do that you must suffer and get many enemies as the reward.

10

Before Mr. Coutts, the Administrator, went to England, there was a discussion in the Council about the industrialisation of this country. This colony of St. Vincent is like old Pharoah's country. The talk of industrialisation is just a lot of nonsense because they really do not intend that you should rise above the illiterate stage in this country and still they continue to tell you that you are illiterate. Look at the Estimates for a small country like this island of ours. It is frightening to see the Estimate for this colony and still you are not included in the plans for anything that will make you any happier than you are now.

20

30

Friends and Comrades, I do not know what is wrong with this country of ours. I do not know what is wrong with this place. From this very Market Place, Julian Baynes told you that there were certain faults in the Government of St.Vincent. Now as soon as he gets among those who are in collaboration with the Imperialists, he turns against you and is now saying a lot of different things. One time Baynes and myself were very close but as soon as I see the difference in a man and see he has changed. I have nothing more to do with him. Am I lying in anything that I have said? No.

40

These fellows are only making a semblance of

Exhibits

A.F.2.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
26th November,
1952 -
continued.

a Government here. They are only fooling you about industrialisation and the like. Don't you see that I am sacrificing myself for your cause? Don't you see I am doing it all to help you? I am here to save you. Do you remember me speaking in this Market Place and asking certain questions? I am asking about all these number of wrongs going on in our midst; the police taking political sides, heaping up a large arsenal to shoot you and destroy you; the Councillors whom you elected not caring for you and things of that nature. All those are the wrongs we must fight against in this place from time to time. There are so many political prostitutes in our midst that we just don't know where we are standing. These men are wolves in sheep clothing. These fellows now think it fit and proper to draw your attention away from the real object and the issues involved. Certain things are always left alone. There was once an idea of increasing the sugar output. After all of these kind of things, these political fools get up and then call you fools and illiterates. To them you can apply the story of the woman who talked about her riches and her wine-bottles in the Bible story. She was making a lot of brags. Those are the kind of people you have dealing with in this country today. They are encouraging the bringing in of all kinds of strangers to do work which you should be doing, but at the end they will be kicked out and stripped just like how they treated Herr Hitler at the end of the last war. He was defeated and stripped and kicked in his Swastika. I will see that Mr. Findlay who goes up on these men political rostrum suffer the same fate; be stripped and kicked out of the Department. You must not suppress the peoples right for the Imperialists. They are a pack of brutes and traitors and are only villifying the peoples names who do them no wrong. They know the people they are ridiculing too as heroes to the cause.

Baynes and Slater, in spite of my constant fight for the poor people on the Leeward, are now seizing the opportunity to villify me and are trying to tell the people to make me wave a political wand to get things done for them when I have so many odds against me. My only comment on them is that they are like the ostrich, pushing their heads in the sand and leaving the remainder of their stupid bodies out in the air. You can see the folly

Exhibits

A.F.2.

Transcribed
Notes of P.C.
A.Forde of
meeting in
Kingstown on
26th November,
1952 -
continued.

in people who create those kind of antics. They are calling you illiterates, but an illiterate is only a person who at the present does not know any better about certain conditions. You are not illiterates. This Government is like a train going along without rails. We are going to make them vomit like the Imperial dogs they are.

I am very proud to know that I am fighting for the people to get them from under their yoke. I am awfully proud about it. Imagine an Imperialist saying that I am not interested in the people, but I tell you that nobody can take away my birthright. All these have is a lot of hatred, paganism, brutishness and all the rest of things like that. They regard you as a set of people who have no reason or no sense. They think that you have no standard or anything at all. Slater went to the Island and told the people that Joshua is treating them like dogs. I am a labour leader and I am going anywhere the workers are.

10

20

I saw a copy of a pamphlet from British Guiana saying that certain members of the Council walked out when the Governor was about to address them. All that is nonsense. Whenever the workers' representatives have any guts to fight back against any wrongs being done to them and resent it in any way, you get that sort of thing appearing in the newspaper. I tell you anyhow that black is black and white is white anywhere you go. Even the working classes in England are crying out under the new Conservative in power now. In the Colonial Empire and in the various West Indian Governments, tyranny is crumbling. No wonder they will vote funds to Uncle Sam and get in with the I.C.F.T.U. to get the American gold to betray the people. The I.C.F.T.U. is continuing to back their organisations. Things are bad. I don't feel our predecessors would have been so worthless to our needs.

30

I can remember that one newspaper said that the Governor was suffering from the effects of political shrapnel. These nitwits now come out and tell you that they are strong men. These traitors are fooling you, but the longest day has its ending. But you know how the criminals act in the United States. Before they act, they usually take an injection which makes them feel strong enough to do their deeds. It acts like a drug. These

40

Exhibits

A.F.2.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
26th November,
1952 -

continued.

10 criminals here should take an injection of mor-
phine. After the longest night, you are obliged
to get morning. The wicked Pharisees and the
Publicans went to Our Lord to try him out, asking
him if it was right to give tribute to Caesar or
not. When they were asking him, they tried hard
to see if he would tell them that they should not
pay tribute money, but you remember the answer
he gave them: "To render unto Caesar the things
that were Caesar's, and unto God the things that
were God's. They were disappointed, but they
still came forward and told lies; lies, saying
they found him saying various things against the
nation and various things of the sort. They still
said that they found him perverting the nation
and things of the sort, and that he was a wine-
bibber, drinking with the Publicans and sinners.
These men we have to deal with are the same selfish
kind of people we have to pray against. Tell them
20 what happened from the day I started to agitate.
I was responsible for agitating for your rights.
Slater is a man that could be used for any purpose
at all. You will be hypnotised all the time by
my presence. I will continue to suffer all the
time for your rights, especially when you have men
like Baynes in your Government. I am not satisfied
with things and that is going to make me reach
England quicker.

30 I cannot understand the attitude of the Police
here. I cannot understand the attitude of the
Police who have now decided to take sides. How can
the Officers allow the Policemen to play these po-
litical games that they are now indulging in.
Findlay has no right in these political games. It
is a lot of wickedness going on here. But there
are a lot of things you have to put up with in the
fight for freedom.

40 All I want to say now is that you must organ-
ise and fight them for your rights. I want you to
hear a few words from Miss Austin about the wicked-
ness of these two traitors, Baynes and Slater, who
are going all about telling the people that we are
against them and that we do not care for them. I
must also tell you that I have received a copy of
the Caribbean Labour Congress Magazine from London.
It reminds me that these political prostitutes are
also going about telling the people that we are
receiving the money to do certain things, but it is

Exhibits

A.F.2.

Transcribed
Notes of P.C.
A. Forde of
meeting in
Kingstown on
26th November,
1952 -
continued.

all a lot of lies. There should be more Harts, Joshua's and Jagans, to preserve our public rights which are quickly dissolving. The public is demanding the resignation of these men who cannot face up to the task and are afraid to speak or act impartially. Even the President of the Organisation for the benefit of the workers has turned his back on his colleagues calling them Communists. He must have a Communist to be mixing with them for so long. It is indecency. Even Marshal Tito of Yugoslavia is now leading the fight against Stalinism. 10

The President of the Caribbean Labour Congress, who is Adams, has deserted his colleagues and is telling them that what they need is some more revolutionary ideas and all the other things like that, making complaints about Communism. He cannot now shake off his association with them. He was with them too long and is also a Communist. It is no use saying things about class hatred and the like. He is looking for his C.M.Gs. and his Q.Cs; that is the reason why he is turning his back against the people. Even Manley in Jamaica is doing the same thing. 20

Comrades, all I can tell you is that you must unite if you want to save yourself from these people who are seeking to suppress and keep you down. Next week I will tell you more of the wrongs that are being done in our midst. We know all about the Police and you have heard of the latest plan these men are trying to do me by going around and telling the people that I am not interested, but by doing that, Baynes and Slater have made themselves into the biggest political fools of all time. Nothing they can do can prevent me in my task of freeing you from your oppressors. I only want you to wake up and see for yourselves and stop taking events so easy. 30

After reading some old Editorials of the "Torch" newspaper to you about the political tricks of the Barbados politicians, I will ask Miss Austin to tell you of her witnessing the events I told you about. 40

The meeting concluded with Miss Austin supporting Joshua's remarks about Mr. Slater and Mr. Baynes telling Joshua's constituents that he was not supporting them whole-heartedly.

Comrades Forbes also spoke on the same point and of the Police taking political sides.

IN THE PRIVY COUNCIL

No. 1 of 1954

ON APPEAL

FROM THE SUPREME COURT OF APPEAL FOR THE WINDWARD
ISLANDS AND LEEWARD ISLANDS (ST. VINCENT CIRCUIT)

BETWEEN

EBENEZER THEODORE JOSHUA

Appellant

- and -

THE QUEEN

...

Respondent

RECORD OF PROCEEDINGS

GARBER, VOWLES & CO.,
16, Soho Square,
London, W.1.

Solicitors for the Appellant.

CHARLES RUSSELL & CO.,
37, Norfolk Street,
London, W.C.2.

Solicitors for the Respondent.