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6TH SESSION (1958)



WESTERN REGION OF NIGERIA

HOUSE OF ASSEMBLY DEBATES

OFFICIAL REPORT

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Western House of Assembly Debates

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Fadayiro, Chief E. A. A.	...	Egbado East
Fadase, Mr D. A.	...	Ondo Central
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Ogedengbe, Hon. A. O.	...	Owo Central
Ogedengbe, Chief J. A.	...	Afenmai West
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Oye, Mr J. O.	...	Afenmai North
Oyewale, Mr D. A.	...	Oshun West
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Western House of Assembly Debates

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WESTERN HOUSE OF ASSEMBLY

TUESDAY, 2ND SEPTEMBER, 1958

The House met at 10.13 a.m.

PRAYERS

(Mr Speaker in the Chair)

OATH OF ALLEGIANCE

Mr Adeoye Adisa took and subscribed to the oath of allegiance.

PAPERS LAID

Reports of the Accountant-General, Western Region—The Financial Statement for the year ended 31st March, 1957.

Report of Local Government, Western Region, for the year 1957.

Annual Report of the Department of Social Welfare, Western Region, 1956-57.

BUSINESS OF THE HOUSE

The Minister of Home Affairs and Midwest Affairs (Chief A. Enahoro): The Government's business for this meeting is as set out on today's Order Paper. Hon. Members are also aware that there are a number of Private Members' Motions. It is proposed to take all stages of the Local Government Bill, the Public Health (Amendment) Bill, and the Births, Deaths and Burials (Amendment) Bill today, and to complete the other stages of the Supplementary Appropriation Bill tomorrow, and to devote Thursday to Members' Motions. We hope the House will rise on Thursday.

PERSONAL EXPLANATIONS

Chief J. A. Ogedengbe: If there is any party in Nigeria that wants the unity of this country, that caters for the common man, it is the Action Group Party. (*Shouts of "shame! shame!" from Opposition Members*). By the past performances of the Action Group Government in this Region, I am convinced that this Action Group party is the only party that can lead us to independence and at the same time ensure freedom for all.

I have been mandated by the people of my constituency to declare for the Action Group, and I am convinced from my heart of hearts that the Action Group is the party of the common man. (*Cheers from Government Benches*).

Mr Speaker Sir, I therefore declare for the Action Group. (*Cheers and jeers from all*

sides of the House. Chief Ogedengbe then crossed from the NCNC Benches to the Action Group Benches).

Mr F. A. Oyalowo: I have been mandated by the Egba people and my constituency, that is, Egba Central, from now on to declare for the Action Group. *Mr Oyalowo, amidst cheers and jeers, then crossed from the NCNC Benches to the Action Group Benches*).

BUSINESS MOTIONS

Chief Enahoro: After this exhilarating exhibition, I beg to move that Standing Order 4 (2) be suspended this day to enable the House to continue sitting after 1.00 p.m. if necessary.

The Minister of Local Government (Alhadji D. S. Adegbenro): I beg to second.

Question proposed.

Question put and agreed to.

PRESENTATION AND FIRST READING OF PUBLIC BILLS

The following Bills were presented and read for the First time; they were ordered to be read later in the day:—

1. The Supplementary Appropriation (1958-59) Bill.
2. The Local Government (Amendment) (No. 3) Bill.
3. The Public Health (Amendment) Bill.
4. Births, Deaths and Burials (Amendment) Bill.

SUPPLEMENTARY APPROPRIATION BILL: SECOND READING

Order for Second Reading read.

The Minister of Economic Planning (Chief C. D. Akran): Mr Speaker, Sir, I rise to move the Second Reading of a Bill for a Law to make supplementary provision for the service of the Western Region for the year ending on the 31st day of March, 1959, additional to that made under the 1958-59 Appropriation Law, 1958 and the 1958-59 Capital Budget Appropriation Law, 1958.

I have it in command from His Excellency the Governor in accordance with Standing Order 73 to convey his recommendation for the consideration of this Bill.

Before I proceed to comment on the supplementary provision sought under the Bill and on the supplementary estimates which support it, I would like to make some remarks on the question of procedure for dealing in this House with Supplementary

Appropriation Bill

[CHIEF AKRAN]

Estimates. Hon. Members will recall that when the first Supplementary Estimates for this financial year were presented at the last meeting in June, approval was sought by way of a Resolution. It was intended that all such expenditure authorised during the course of a financial year should be covered by only one Appropriation Bill to be presented to the House at the end of the year. The resolution procedure, as some hon. Members rightly remarked, did not afford the House adequate opportunity for the examination and discussion of the estimates. It has been decided, therefore, that henceforth a Supplementary Appropriation Bill will be presented each time the authorisation for supplementary provision is required.

With your permission, Mr Speaker, Sir, I quote Standing Order 70 :

"If at any time a Supplementary Appropriation Bill is introduced into the House, the provisions of the Standing Order 69. "Appropriation Bill" shall apply to the stages of and the proceedings upon a Supplementary Appropriation Bill, except that the debate on Second Reading shall take place not less than one day after the Motion on Second Reading has been proposed and seconded and not more than three days shall be allotted to the consideration of the Bill in Committee of Supply".

I am sure hon. Members, in particular my hon. Friend the Member for Urhobo East, who is the oldest member of the non-existent Finance Committee, will be pleased to know that in view of this Standing Order I don't expect them to discuss the supplementary estimates immediately after this speech.

Now, to turn to the Bill itself. Of the total sum of £59,648 shown under the first schedule of the Bill, £13,948 was approved by a Resolution of this House at the last meeting. The following are the more important items included in the balance of £45,500 for which fresh authorisation is required.

Head 331 : Ministry of Finance.—An additional provision of £28,000 is required for reimbursement to local authorities for expenses of collection of motor vehicle fees. This reimbursement is at a fixed rate of 5 per cent of the revenue actually collected. It is expected that actual revenue will exceed the estimate for this year by about £100,000. In addition, some payments in respect of commissions earned last year have had to be made this year.

Head 341 : Local Government Service Board.—This is a new Head to provide for the Local Government Service Board as a separate non-Ministerial Department. The total provision of £8,010 is required for the remainder of the current financial year.

In my budget speech last March, I informed the House that Government had set up a Committee to advise on the integration of Departments with the various Ministerial offices concerned with their activities. The Committee has since completed its work and its reports have been considered by Government. The supplementary estimates now before the House contain revised estimates which reflect the reorganisation of staff in each Ministry. Some reduction in the number of posts have been effected in addition to changes in the designation of some posts. The total saving in personal emoluments resulting from the integration or reorganisation schemes is £46,735.

The second schedule to the Supplementary Appropriation Bill shows that a total supplementary provision of £2,490,977 is required under the Capital Expenditure Estimates for this financial year. This figure includes a total supplementary provision of £235,660 approved by Resolution at the last meeting of this House, and the balance of £2,255,317 is made up mostly of revotes. A major item in the schedule is £1,508,694 under Head 705—Loans. This is made up of a revote of the £1,076,000 provided last year for the Finance Corporation but which was not used. The balance of £430,694 is to provide the newly established Housing Corporation with the funds to finance its activities during the current financial year.

Mr Speaker, Sir, I beg to move.

Chief Enahoro : I beg to second.

Question proposed.

Mr Speaker : The debate on this Motion will stand adjourned till tomorrow to enable Members scrutinise the supplementary estimates.

THE LOCAL GOVERNMENT
(AMENDMENT) (NO. 3) BILL
SECOND READING

Order Second Reading read.

Alhadji Adegbenro : I beg to move the Second Reading of a Bill for a Law further to amend the Local Government Law, 1957. This Bill seeks to make provision firstly, for the removal of a Chairman of a Council(*Opposition Members : Shame, Shame*), when due notice of such removal has been given in the proper manner. Section 2 of

[ALHADJI ADEGBENRO]

this Bill therefore empowers the Secretary of the Council to discharge the responsibility of calling a meeting to dispose of that business and of presiding at such meeting.

Secondly, the Bill seeks to provide for the grant, subject to the prior approval of the Minister, of allowances to ex-chiefs, ex-obas and other ex-holders of traditional titles, and thirdly, the Bill seeks to amend the principal Law to enable the rights, interests, obligations and liabilities of native authorities to be assigned to Local Government Councils. Where such rights, interests, obligations and liabilities are outstanding as a result of the dissolution of those native authorities the purpose of this amendment is to ensure that no injustice is done to the parties concerned and Local Government Councils will, in appropriate cases, be deemed as having taken over such outstanding rights, interests, obligations and liabilities upon an order to that effect being made by the Minister of Local Government.

Mr. Speaker, I beg to move.

Chief Enahoro : I beg to second.

Question proposed.

Mr G. I. Oviasu : Mr Speaker Sir, this Bill should not have been presented to us at this stage. It would have been better if the Government Benches had been more tolerant by giving us some more time to go into this controversial Bill. It is surprising that at every sitting of this House, amendments are put to us. I submit Sir, that this is a sign of down-right incompetence on the part of the Government.

Chief Enahoro : On the contrary, it is evidence that we are alive to changing times.

Mr Oviasu : I say Sir, that it is a sign of down-right incompetence and lack of foresight ; it is a sign of down-right political wickedness.

We on this side of the House oppose this Bill. We are all aware that recently, most of the elections in various Local Councils were completed, but elections into some Divisional Councils have still not been held. There is reason for that, Mr Speaker. The Government Party is so anxious to control the Divisional Councils by foul means and by force.

Chief Enahoro : I appeal to the hon. Member to withdraw the word "foul". He can use another word.....(*Interruptions*).

Mr Oviasu : They want to control the Councils in the Western Region by foul means. That is the truth, otherwise, what

is the necessity for injecting traditional Members into Local Government Councils ?

Chief Enahoro : Is that relevant to this Bill ? (*Interruptions*).

Mr Speaker : Will the hon. Gentleman carry on.

Mr Oviasu : It is always said that truth is made clearer by illustration ; it is known that in some cases figures give clearer illustrations that words cannot give, and for that reason I shall give one example : in the Iyekovia District Council, the position of the parties is, NCNC 18, Action Group 12.....(*Interruptions*).

Mr Speaker : Order, order. Perhaps the hon. Gentleman has got the Order Book about Motions. I hope he is not anticipating certain motions by Members on my left.

Mr Oviasu : I am not anticipating Sir ; I am just giving a background, to make hon. Members appreciate the viciousness of this amendment. The amendment is not necessary. Take amendment No. 1 regarding the removal of the Chairman from a Council. The reason is that when the traditional members whom the Government party is injecting into the Councils have been injected, the state of the party will change. Where you have NCNC 18, and Action Group 12, on the injection of 8 traditional members, the position will be, Action Group 20, NCNC 18. Mark you Sir, before the injection, the NCNC had elected their own Chairman, but this injection will reverse the position of the state of the parties in that Council. That is just the position, Sir. And that is why we are opposing it.

On the second amendment, Sir, we make provision for the attainment of self-government.

Mr Speaker : I beg your pardon. This was meant for all traditional members through the Action Group.....(*Interruption*).

Mr Oviasu : Mr Speaker, the answer is emphatically, yes. We can see it from the crossing over this morning, Sir, of the hon. Member for Afenmai (Chief Ogedengbe). He is a traditional member and the Chiefs are supporters of the Government (*Interruptions*).

On the second amendment, I see no reason why this Region should be wasting money to pay somebody who is doing nothing simply because he was appointed to a title. This Government Party is well known for using all the forces at its command

[MR OVIASU]

to force things on people and there is no clearer method than this. These members in most cases are Action Group supporters.

On the third amendment, Sir, while we on this side of the House are not opposing it, the Government has prescribed that rights which formerly belonged to the old authority have lapsed and are now vested in existing Local Government Authorities. With this, Sir, I beg to oppose the Second Reading of the Amendment.

Mr V. I. Amadasun : I thank my star..... *(Interruption)*. Mr Speaker, Sir, before I say anything I would like to read the first proposal in the amendment. This Bill seeks to amend the Local Government Law (No. '3) of 1957, to provide that where a motion to remove the Chairman is before the Council the responsibility for calling a meeting to discuss the proposal and for proceedings at the meeting shall be discharged by the Secretary of the Council and *not* the Chairman who is proposed to be removed.

And now, Mr Speaker, Sir, I would like the Minister of Local Government to say what kind of Motion it is. Is it a good Motion or a bad Motion? What the Minister of Local Government simply wants to implement here is that in any Council, any of the members of the Action Group at any time may move a motion that the Chairman who is NCNC should be removed. To come to the results of the last local election, if I am given the opportunity, I will show why this so-called Action Group Party controlling the Government of the Western Region is not doing anything..... What type of Motion is that? And now, Mr Speaker, you see the financial control is given to..... *(interruptions)*.

Now, Mr Speaker, Sir, you can see that the Secretary—and I am not anticipating the Speaker, Sir—the Secretary was given extraordinary powers to be the Electoral Officer and also the Secretary of the Council. You know we are all human beings. Now he has been given the power to call a meeting and to remove—*whom* is he to remove? That is why we are opposing it.

It is high time, Mr Speaker, Sir, that the Minister of Local Government of this Region was removed. *(Interruptions)*. And we have told him so, that he can be removed. *(Interruption)*. Mr Speaker, Sir, according to what my learned Friend has just read, it is

time these types of amendment to the Local Government Law were stopped. Power should not be given to a Secretary to remove an NCNC Chairman of the Council. Mr Speaker, Sir, I beg to propose.

Mr P. K. Tabiowo : Mr Speaker, Sir, I rise to oppose the Amendment on the Local Government Law. When the Local Government Law was first introduced, I can still remember that I was one of those Members who debated it before it was passed into Law. The intention of the Government in introducing it then was different from what it is being used for at this time. The Ministry of Local Government is a most difficult Ministry to head because it deals with human beings and there is nothing so difficult to deal with as human beings. If I had my way I would suggest that the Government of this Region should look round and find somebody else, somebody better than the present Minister of Local Government..... *(interruptions)*. I say that with all emphasis. I would suggest in this place the hon. Minister of Economic Planning. He is a man of action, a man of experience. He is such a man, a man of high calibre. I would like a man who has gone on a pilgrimage, when he returns, to have some holiness about him. *(Shame! Shame!)*. It should be a shame for the Ministry to have such a man as this at its Head.

Mr Speaker, Sir, what is all this amendment for? Today an amendment of the Local Government Law tomorrow an amendment of the Local Government Law, the day after an amendment of the same Law. The Law—the *last* thing that should happen—has been changed, mutilated, tampered with, with all sorts of acts of wickedness, and yet again there is an amendment to the Local Government Law. What is all this amendment about? It is only just the Action Group desire to control all the District Councils in the Western Region. What is democracy? We should allow the minority to live and to live peacefully. If we desire peace and tranquility in Nigeria, in this Western Region, it is not by this method that we can achieve it. It is not by this method that people can live in peace in this Western Region.

Now this present Amendment only sprang up in the mind of the Minister because he was not able to unseat the Chairman of a particular District Council in the Delta Area because he found it absolutely impossible constitutionally to inject a traditional member. I remember, last June, I raised a

[MR TABIOWO]

matter here on Adjournment about the subtle move the Minister of Local Government was about to make then to inject traditional members into the Council in the Urhobo Division. I have never seen anywhere where a son has been asked to replace his father, who is a traditional member, an old chief of his own clan still living but incapacitated by ill health, just in order to enable the Action Group to form a majority in the Council and thereby control that Council. The Minister of Local Government substituted the son for the father.

I do agree, Mr Speaker, that the human mind is flexible, and is subject to changes from time to time, but in the mind of the Minister of Local Government the changes are such that they have rendered that Ministry (An hon. Member: He cannot find a suitable word.....). Yes, I can find an appropriate word, an appropriate word which will suit the status of the present Minister of Local Government. He has turned that Ministry into a nuisance, and a house of wickedness. Mr Speaker, Sir, look at the Parliamentary Secretary to the Premier; he was present at the meeting of the Council. What did he do in the Council? He muddled things up. When that Council became rowdy—the Local Government Law provides that whenever the Council becomes rowdy the Chairman has it in his own prerogative to adjourn the meeting of the Council. And that was exactly what the Chairman did.

Government Benches: Who is that Parliamentary Secretary? (*Shame, shame!*)

Mr Tabiowo: Mr Speaker, Sir, this is the second time that this particular Parliamentary Secretary has blundered into the affairs of Councils in the Urhobo Division. Once he went to tell members of the Council to say that the Regional Government had made full provision for Primary Education, without demanding contribution by Councils. He went on further to say that the Regional Government has provided money for all Councils with which to pay the 5s minimum wage (*"Shame, shame!"* from *Government Benches*). He made these statements in the presence of an Administrative Officer. I have witnesses.

Mr Speaker: May I remind the hon. Member to speak to the Chair?

Mr Tabiowo: I agree, Sir. Mr Speaker, Sir, some of these things are most annoying. We must live with peaceful minds in this Region. We must allow people to live. Why do we preach democracy? This is

enough to make people look back to say we were better off in the days of British Administration. What we stood against in those days we are now practising, now that we have a Government of the people, by the people for the people. A Government like that should not have a man in the person of the present Minister of Local Government in its cabinet.

Opposition Benches: We are sacking him!

Mr Tabiowo: We are sacking him. If only I could have a majority of this House I would table a Motion to remove him.

Opposition Benches: The Government will support us!

Mr Tabiowo: I have respect for him as a Minister of State, but we must be fair in our dealings with other people. This is not the sort of way to live. There was a Minister the other day who, instead of advising the members of the Local Government Service Board, went on to appoint party men, including party men from only one district, irrespective of Urhobo Division.

Government Benches: Because you were not appointed.

Mr Tabiowo: Not because I was not appointed. Such an *Ad hoc* Committee should be composed of men from both sides—men who know all about the people. The men he appointed—I have no feelings against anyone, I respect them in their own persons—belong to only one district.

Mr Speaker: Hon. Member, please address the Speaker.

Mr Tabiowo: Mr Speaker, Sir, I have said more than once that we must be able to live peacefully. This sort of amendment which is coming before the House simply to allow the Action Group to control every Council in the Region, is a wicked act.

Opposition Benches: You cannot do it in Ibadan.

Mr Tabiowo: I would ask the Minister to withdraw this amendment. What are the reasons? Simply to get one Council. After all the Action Group is controlling the greater number of Councils in the Western Region. Why not leave the NCNC with the Councils that the NCNC is controlling? Mr Speaker, Sir, I beg strongly to oppose the Motion.

Chief F. Oputa-Otutu: Mr Speaker, Sir, you will see that section 32 of the Local Government Law, 1957, says that the Chairman of a Council can call a meeting of the Council at any time either on his own decision or upon the resolution of about one-third of

[CHIEF OPUTA-OTUTU]

the members of the Council. Mr Speaker, Sir, having been Chairman of a District Council for three years—I was the Chairman of a District Council until the Action Group, the party in power—took this Council from me.....(laughter). Mr Speaker, Sir, in a few weeks' time, delegates of the Western Region will be going to the United Kingdom to ask for certain rights and privileges from our British masters and it is therefore proper for them to show some good examples which would entitle them to such rights and privileges. Mr Speaker Sir, the Action Group party has introduced certain features of Local Government tactics in this Region but I think it is high time these fraudulent practices were stopped. The Local Government Law, Sir, has adequate provisions for calling the meeting of a Council. The Secretary, when a new Council is elected, has a duty to call the first meeting of the Council, to preside over such a meeting and after the Chairman has been elected or becomes the duty of the Chairman to call the meeting or subsequent meetings. The only reason why, Sir, the Minister has introduced this amendment is based on the fact that in some previous cases he has failed to get his party to control certain District Councils in this Region. It is a well-known fact that a majority of Secretaries of Local Government Councils are of Action Group leaning for if they are not they must be removed. I am saying this authoritatively.

Government Benches : How many have been so removed?

Chief Oputa-Otutu : Efforts are being made to transfer some from that area. It is a well-known fact that about 99 per cent of Secretaries of Local Councils in the Western Region have either Action Group leanings or are their active supporters. If you are not a supporter of the Action Group you are thrown out of the job.

Alhaji Adegbenro : On point of explanation, Mr Speaker, Sir, Secretaries and Secretary/Treasurers' appointments are determined by the Local Government Service Board.

Opposition Benches : Menace of Local Government! Shame, shame!!

Chief Oputa-Otutu : Mr Speaker, Sir, I am saying that this amendment is unnecessary.

Government Benches : In what respect?

Chief Oputa-Otutu : There are adequate provisions in this Local Government Law to

allow the summoning of a meeting of any District Council in the Region. Either the Chairman may summon the meeting of the Council or one-third of the members of the Council may do so. For goodness sake, Mr President (laughter from Government Benches).

Mr Speaker : I like that promotion (laughter).

Chief Oputa-Otutu : Mr Speaker, Sir, I have nothing more to add ("Sit down, sit down" from Government Benches) as I have more Motions and more to say when they come up, but would add lastly that this amendment is very unnecessary and it is only meant, as already mentioned by a Member of this side of the House (Opposition), to introduce another means of taking away NCNC councils from the NCNC and bringing them under the control of the Action Group Party. Mr Speaker, Sir, I beg to oppose.

Mr A. O. Adesokan : Mr Speaker Sir, before I oppose this Motion I would like to know the number of chiefs on the Government Benches in this House (Opposition Benches: All of them). If all on the Government Benches are chiefs it means that the Government benches are turning the Government into a trading organisation. If you read section 2 of the Objects and Reasons it says this Bill further seeks to amend the Local Government Law, 1957, No. 12 to provide for the grant, subject to the approval of the Minister, of an allowance to ex-Chiefs and other ex-holders of traditional titles. Some of the Members of the Government Benches have no blood relationship with any chieftaincy family in this Region and when they are admitted as members they want to go to the Councils and ask for grants.

This type of law will not help this Region. You are only eating up the tax-payers' money. The Minister of Local Government is playing with the intelligence of the people of this Region by amending the Local Government Law every minute, every hour, every day. The Minister of Local Government makes a practice of amending the Local Government Law to suit the Government Party wherever they have no good footing. They are turning the Government into a trading organisation. In places where the Action Group did not control councils, it is their ambition to gain councils by force. In the Ibadan District Council, the Minister of Local Government said that in wards where an Action Group member won the local election, the tax assessment committee for this area should be Action Group, 4 and NCNC, 2.

Alhaji Adegbenro : That is not the distribution of seats in Ibadan (*Interruptions*).

Mr Adesokan : We know your tricks and we shall expose you. Mr Speaker Sir, the Minister of Local Government does not want to listen because he knows the amount of havoc he has played in the Ibadan District Council and we shall explain in this House, and make him understand, that he is not doing anything which befits somebody of his status as an Alhaji, the Minister of Local Government, and a good man.

Chief Enahoro : So, he is a bad man?

Mr Adesokan : Exactly.

Mr Speaker Sir, the Minister went further to impose two members from the Action Group on the Tax Assessment Committee, and, not only that, Sir, he went further to impose all Action Group members as the Appellate Tribunal on the Ibadan District Council. The members of the Appellate Tribunal are non-natives who cannot possibly know the worth of the tax-payers ; yet he did that because, as the Minister of Local Government, he has the power of life and death over the Council. I do not think this type of Government is democratic and the people of Ibadan are opposed to this Government and will continue to oppose it until they are given a fair chance of justice.

Mr Speaker, Sir, I beg to oppose this Motion.

Mr J. M. Ariworiyai : Mr Speaker, Sir, during the last session, I pointed out to the Minister of Local Government that they should stop henceforth amending this Law at each and every session of this House, Mr Speaker, and that is what I keep on repeating whenever I get up in this House. And even, if at all he should amend, why make amendments without giving us time to scrutinise them?

Mr Speaker Sir, I have no intention to commend the amendment, because whatever we Members on this side of the House say counts as nothing, but let not the Party in power exploit the minority as the meaning of the word "democracy" is not government of the minority by the majority but government of the people by the people for the people.

Mr Speaker, Sir, there is no humiliation greater than for a Secretary of a Council to preside at a meeting to overthrow the chairman of the Council. Mr Speaker, Sir, I am not prepared to compromise with such a thing.

When Mr Oputa-Otutu was at Afenmai standing against his opponent, I was there and I saw what happened.

There is no reason for this amendment and there is no reason why the Minister of Local Government should continue to amend this Law day in day out until we do not know where we stand.

Alhadji Adegbenro : Mr Speaker, Sir, I can understand the indignation of Members from the Opposition about this amending Bill. It is significant to know, Mr Speaker, Sir, that Members who have vehemently opposed this Bill happen to come from the Midwest. A particular Member, the hon. Member for Urhobo Central was quite out of temper ; he was very indignant because he thought this amending Bill was seeking to remove the chairman of a particular council. That is not the position, Sir. The position is this, Sir, that after the local elections last June, it became difficult for some councils to perform the functions assigned to them under the Law because of certain unscrupulous people who happened to be elected as Chairmen. These councils refused to comply either with the Standing Orders of the Council or with the provisions of the Local Government Law. I shall, with your permission, Mr Speaker, Sir, later on, cite two concrete examples of these, so that Members of both sides of the House may well understand the purpose of introducing this amending Bill. Before doing so, Mr Speaker, Sir, there is a point which I would like to explain immediately. It is the point made by the hon. Member for Ibadan, in regard to the appointment of tax assessment committees in all councils. He has made a very fraudulent statement on the floor of this House that the Ministry of Local Government has decided, or has ruled, that where the Action Group won an election, there should be among members of the tax unit, two members belonging to the Action Group and two members belonging to the NCNC. That is not the case. The truth of the matter, Sir, is that there are 79 tax units in Ibadan and since the NCNC won the majority in the local councils, the NCNC has been given power to appoint 4 in every tax unit and only 2 members belonging to the Action Group. Mr Speaker, Sir, the state of the Party in that council in Ibadan now is NCNC 50, Action Group 19 ; and at the time this arrangement was made, it was made at a round table conference which the Chairman of the Council and about 8 others attended. The meeting was attended by the then Acting Premier, the Minister of Economic Planning and myself, and an agreement was reached as to the composition of the tax assessment committee in all the units. I asked them to convey to me their

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agreement in writing and this was done over the signature of the Chairman of the Ibadan District Council, that is why I gave my ruling.

Mr Speaker, Sir, I have already indicated earlier that certain councils have been put into great difficulty in performing their functions and, as a result, the poor tax-payers have suffered greatly. For example, in Urhobo Eastern District Council after the election, the Chairman who was elected lost the confidence of the members of the council and a motion was tabled in accordance with the Standing Order of the Council and also in accordance with sections 30 and 32 of the Local Government Law. And not only in Urhobo, but also in Ijebu Eastern District Council, the same situation arose. The Chairman elected lost the confidence of the Council. For the enlightenment of Members of the Opposition, may I say that the Ijebu Eastern District Council is Action Group controlled, and a similar situation arose as has arisen in Urhobo Eastern District Council. The Chairman lost confidence in the Council and the members tabled a motion in accordance with their own Standing Orders and also with the provisions of the Local Government Law. But what happened? Now, the Standing Orders of the Council are based upon the standard form which was issued from the Ministry of Local Government but there are people who will go to any length in their own personal interest to disturb the smooth working of the local government institution in this Region; they hide under section 41 (2) of the Law; that is, where the Chairman feels it is time to adjourn a meeting he can adjourn any meeting at any stage of the proceedings, and that will be the end of the matter. What happened was that the motion would never be tabled. The Chairman in each case, who had attended the meetings of the Council more than three times refused to allow the motion to be tabled.

In one particular respect, the Council had not been able to levy the rates for the ensuing year or prepare any estimates for 1959. Rate collection in this Region will commence in September, that is, this month; but in Urhobo Eastern District Council, there has not been any function whatsoever performed by the Council. Rates have not been levied and Estimates have not been prepared. My Ministry is greatly disturbed by this disgraceful performance of people who claim to champion the cause of the common men there. You will understand,

Sir, why it is necessary for my Ministry to come to the rescue of the people who pay rates to obtain the services which they should enjoy. Now, this Bill, Mr Speaker Sir, simply states that where a motion has been properly tabled that is, according to Standing Orders, where the motion has been in writing and the appropriate number of members of the council support it, in some cases one-third and some cases ten, and so on before the House, the Secretary of the Council who, according to the provisions of the Local Government Law presided at the first meeting of the Council to elect a chairman, should also preside at the election of a chairman when a motion to remove him is being debated. That is, a Chairman will no longer preside at that stage and will allow the Secretary, who is empowered under the Law, to preside over the election of a Chairman so that members would be able to debate the motion (and the election of chairman is also by secret ballot by members of the Council), and will have the opportunity of deciding whether the motion is supported or defeated.

It should be left to the members of the Council to decide which way they want to go and it will be unfair to the tax-payers to have to keep someone in the chair indefinitely when no function is performed under that particular chairman. That is the purpose in introducing this Bill. It does follow that unless a motion is tabled by members of the Council, in the appropriate manner, there is no power vested in my Ministry to remove any Chairman. I do not have the power at all. We have no power to remove any chairman from Council. It is left to the members of the council who are duly elected to determine whether a particular chairman continues to enjoy their confidence or not and when they decide that he does not, the case should be left to their discretion to decide whether to put a man of their choice in the chair so that the people may have returns for the tax they pay into the council.

I shall now go to the second aspect of the Bill which makes provision for *ex gratia* allowances to ex-holders of traditional offices or ex-chiefs. Well, it is difficult Sir, for people who are not chiefs or people who have not traditional connection with chieftaincies to understand any little thing said about chieftaincies in this House.

Several Opposition Members : Most of you are chiefs !

Alhadji Adegbenro : Fortunately, I am not a chief and I want to say Sir, that in this Region, ever before a party system came into being, chiefs have been deposed,

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chiefs had been deported, and allowances have been paid to them. Now, in this case, section 101 of the Local Government Law stipulates that a council can only maintain certain traditional offices which are being maintained on its appointed day. This appointed day is the date upon which the council comes into office and those offices which are not offices as such cannot be maintained by the Council and, as Minister of Local Government, I cannot authorise any council to make such *ex gratia* payment to ex-holders of traditional offices. This Bill, Mr Speaker, Sir only allows a council to take a decision where they think that a chief has been deposed and that out of sympathy the council feels certain *ex gratia* payment should be given to maintain him like the sort of *ex gratia* allowance paid to civil servants. The councils should be given the opportunity of doing so in their own resolution. Thus, members will remember that some time ago in this House, members of the opposition urged that *ex gratia* payment to be given to the ex-Onogie of Ubiaja should be increased from 5 per cent to 20 per cent. That is the type of thing we would like the council themselves to decide.

The third aspect of this Bill is that which says that the rights, interests, obligations and liabilities of the local authorities, when dissolved, should be transferred to local government councils.

Members of the Opposition : Don't worry about that.

Alhaji Adegbenro : Well, I am happy that Members say "Don't worry about that" but the point I want to make is this: people have got up and said the Minister of Local Government continues to amend the Law from time to time, or at every breakfast. But now I am delighted that Members of the Opposition have said that they would not quarrel with all the aspects of this amending Bill. If the Minister of Local Government had not been vigilant enough to detect that the provisions of the 1952 Law should be incorporated in the 1957 Law, I wonder how this amendment would have come before this House today and I wonder how councils will be able as of right, to inherit certain assets, interests and so on, from dissolved local authorities. That is one reason why by experience and by the progress made by local government councils and by day to day supervision in the field, we must come to this House to introduce amendments to the local government institution which is the bedrock of a stable government. Any government in any part of the world must be based upon the

stability of the local government institution under it. If the local government institution is weak, no doubt, the government of that country will be weak. For this reason, we must be vigilant on the operation of the Law to see that those things that are not up to date come to this House for full debate so that they may be incorporated in the Law, and that not only Members of this House, but the ratepayers also and the electorate will be able to see that they have maximum return for the rates and taxes which they pay to local authorities.

Mr Speaker, Sir, I beg to move that the Bill be read a Second time.

Question proposed.

Question put and agreed to.

Bill accordingly read the Second time and ordered for Committee now.

In the Committee.

Chief Oputa-Otutu : Mr Chairman, I have a very simple amendment ; that such a Motion to remove a chairman should be signed by at least two-thirds of the members of the council, or I don't mind accepting an amendment by the Minister changing it to 50 per cent of the members of the council.

Alhaji Adegbenro : Mr Speaker Sir, I cannot accept the amendment proposed because it will be in conflict with section 30 of the Law. The chairman when constitutionally elected, is elected by a majority of the members of the council and equally also it will conflict with sections 30 and 32. (2) which stipulate that if the chairman refuses to summon a meeting such a meeting could be summoned by only one-third of the members of the council. If that is so it will be outrageous on the operations of the local government to stipulate that only two-thirds majority will be reasonable to remove a chairman.

Mr Speaker : The question is that clause 2 be amended to the effect that at least 50 per cent of the members of the Council should vote in support of the removal of the Chairman of the Council.

Question proposed.

Question put and negatived.

Clauses 1, 2, 3 and 4 agreed to.

Question proposed.

Question put and agreed to.

Mr Speaker resumed the Chair.

Bill reported without amendment, read the Third time and passed.

**PUBLIC HEALTH (AMENDMENT)
BILL, 1958: SECOND READING**

Order for Second Reading read.

The Minister of Health and Social Welfare (Mr J. O. Adigun) : Mr Speaker, Sir, I rise to move the Second Reading of the Public Health (Amendment) Law, 1958.

As the Law stands at present, no local Government Council has powers under any enactment now in force to make Bye-laws for the control and regulation of Burial Grounds. I have received numerous requests from various Local Government Councils asking that these powers be granted, and it is with the object of granting these powers to Councils that I present this Bill to amend the Public Health Law.

As is stated in the Objects and Reasons paragraph, the purpose of the Public Health (Amendment) Bill is to give Local Governments Councils power to make Bye-laws prohibiting or regulating burials in places other than those already declared Public Burial Grounds.

Mr Speaker, Sir, I beg to move.

Chief Oputa-Otutu : Mr Speaker, Sir, we are not opposing this Bill. But I should like to make a few remarks. The Action Group Party has by design managed to control a majority of the Councils in this Region, and that party, Mr Speaker, Sir, is still struggling to control all the Councils in this Region. I should not, therefore, be surprised if these Councils are going to use this Law for victimising NCNC supporters in the various Council areas.

Government Benches : Action Group controlled councils will use Burial Grounds to victimise NCNC supporters ?

Chief Oputa-Otutu : The Council will move a motion that one NCNC supporter's compound, or the back of his compound should be used as burial ground.

Mr Speaker : Will that not be a double-edged sword ?

Chief Oputa-Otutu : It may be a double-edged sword. I have said this merely because I know the Action Group Party is very fond of victimising its opponents.

Mr Amadasun : Mr Speaker, Sir, what I want to say about this amendment is that there should be a limit to the Bye-laws to be prepared by various Councils ; because in my town it is always the prerogative of His Highness Akenzua II or any Benin Oba to say that Mr B who is dead should be buried in his compound. If a limit is not incorporated in this Law, some members of

the Council may take the Bye-laws to the extreme. So I want the Government of this Region to be very careful about this proposal.

Mr Adigun : Mr Speaker, Sir, I think the points made by hon. Members opposite are well taken. In the case of victimisation, as suggested by my hon. Friend from Aboh Division, I am happy he has agreed that it is a double-edged sword. There are Councils controlled by the NCNC, and there are Councils controlled by the Action Group. I only want to assure him that in the Councils controlled by the Action Group, there will not be victimisation at all, and I hope that he will speak to members of the NCNC to see that they do not victimise those people who are not supporters of the ideas of the NCNC in their Councils areas.

Question proposed.

Question put and agreed to.

Bill accordingly read the Second time and ordered for Committee now.

In the Committee.

Clauses 1 and 2 agreed to.

Mr Speaker resumed the Chair.

Bill reported without amendment, read the Third Time and passed.

**BIRTHS, DEATHS AND BURIALS
ORDINANCE AMENDMENT BILL:
SECOND READING**

Order for Second Reading read.

Mr Adigun : Mr Speaker, Sir, I rise to move the Second Reading of a Bill to amend the Births, Deaths and Burials Ordinance.

This amendment is designed to permit burials to take place in private burial grounds, subject to any Bye-laws made by the Local Government Council in the area in exercise of the powers granted by the Public Health (Amendment) Bill.

This Bill includes a clause which prohibits the payment of customary fees or tribute as a condition precedent to the grant of permission to bury a corpse in a public burial ground.

In order to give Local Government Councils power to make Bye-laws for the control and regulation of burial grounds, this Births, Deaths and Burials (Amendment) Bill is presented to the House.

Mr Speaker, Sir, I beg to move.

Question proposed.

Mr A. K. Onwude : Mr Speaker, Sir, there should be no quarrel with this Bill, but if you look through the objects and

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reasons of the Bill, you will see that there is wrong phraseology. At this time when most of the Divisional Advisers are being withdrawn from the Local Councils I do not consider it reasonable for Government to shift responsibilities such as these on the Chairman of a Council. I think we should amend that "Chairman of the Council".

Mr Oviasu : Mr Speaker, I consider this amendment as progressive. This is the time when permission should be taken from constituted bodies such as the Local Government Councils, and no more from the Divisional Advisers who are being withdrawn gradually. I say this, not because I am Chairman of a Local Council, but I feel that now is the time when Local Government Councils should be able to assume such responsibilities as were hitherto performed by Divisional Advisers.

Mr Adigun : Mr Speaker, Sir, I am happy that my hon. Friend has re-educated his Colleague from Afenmai Division. The hon. Member from Afenmai has misinterpreted the objective which this Bill seeks to achieve. What this Bill seeks to do

is to give power to Councils to be able to perform certain duties which are now being performed by Divisional Advisers who will eventually cease to have such powers.

Mr Speaker, Sir, I have no further comments to make other than to commend the Bill to the House for approval.

Question again proposed.

Question put and agreed to.

Bill accordingly read the Second time and ordered for Committee now.

In the Committee.

Clauses 1 to 3 agreed to.

Mr Speaker resumed the Chair.

Bill reported without amendment, read the Third time and passed.

ADJOURNMENT

Chief Enahoro : I beg to move that the House do now adjourn.

Alhadji Adegbenro : I beg to second.

Question again proposed.

Question put and agreed to.

Adjourned accordingly at 12.05 p.m. until 10 a.m. tomorrow, Wednesday, 3rd September, 1958.

WESTERN HOUSE OF ASSEMBLY

WEDNESDAY, 3RD SEPTEMBER, 1958

The House met at 10.00 a.m.

PRAYERS

(Mr Speaker in the Chair)

ORAL ANSWERS TO QUESTIONS

Oyo Urban Town Council

4/58. Mr P. A. Afolabi asked the Minister of Local Government to explain why he had turned down more than two applications within the last three years requesting the setting up of Oyo Urban Town Council.

The Minister of Local Government (Alhadji D. S. Adegbenro): A petition, to which the hon. Member for Oyo East was a signatory, was received in my Ministry in June 1955. The petition mentioned the need for "a Local or Town Council for Oyo, but was, in other respects, vague.

The petitioners were informed in reply that it was considered that, since the Oyo Southern District Council, embracing Oyo Town, had only recently been established it was too early to consider proposals for amending its constitution.

No further representations upon this subject have been received in my Ministry.

Alleged wrongful arrest of thirteen people at Omuo

33/58. Mr R. A. Olusa asked the Minister of Justice to say whether it was true that the Magistrate sitting at Owo on or about the 12th of March ordered the arrest of thirteen persons from Omuo in Akoko District on false grounds because they failed to appear in court in a case in which they were involved, to say whether these thirteen persons were actually summoned to answer the charges and state who served the summons and when they were served.

The Minister of Education for Minister of Justice (Mr A. Okusaga): The hon. Member's question is in substance concerned with the exercise by a Court of its judicial functions in a particular case. This is a matter for which, by virtue of the Constitution, the Minister of Justice has no responsibility. The proper remedy of any person aggrieved by the Magistrate's decisions is in the Courts and not in this House.

The Magistrate's Court Session at Owo March 1958

34/58. Mr Olusa asked the Minister of Justice to say whether the Magistrate's itinerary covering the sitting of the Magistrate Court Session commencing on or about the 10th March, 1958, at Owo was sent to the Nigeria or Local Government Police for the information of the people and to say through what medium it was sent.

Mr Okusaga: The Magistrate's itinerary covering the sitting of the Magistrate's Court Session commencing on the 10th March, 1958, at Owo was sent amongst others to the Divisional Adviser, Owo, the Officer in Charge, Nigeria Police, Owo, and the Officer in Charge, Nigeria Police, Ikare. Copies of the itinerary are always sent by post. There was nothing during the particular session under reference to suggest that the public was not informed. I have supplied the Member with a full list of the persons to whom copies of itineraries are sent.

Alleged irregularity in the trial of thirteen people in Akoko District

35/58. Mr Olusa asked the Minister of Justice to whether it was true that a lawyer was appearing instead of the Police in a case involving thirteen persons in Omuo in Akoko District and to say whether he was aware of the fact that this particular lawyer had a personal interest in the case he was expected to prosecute.

Mr Okusaga: The hon. Member's question is concerned with the conduct of a particular criminal prosecution. This is a matter for which, by virtue of the Constitution, the Minister of Justice has no responsibility since exclusive powers are vested in the Director of Public Prosecutions. I am informed however, that the prosecution referred to by the hon. Member is now concluded, all the accused persons having been acquitted or discharged.

Exclusion of Opposition Members from the Committees of the Ipokia District Council

38/58. Mr Y. B. Abioro asked the Minister of Local Government whether he had received a petition from the Opposition Members of Ipokia District Council praying him to intervene in the decision of the majority Party of the Council not to include Opposition Members on the Finance and General Purposes Committees and whether the Minister intended to exercise his powers in accordance with section 48 of the Local Government Law, 1957.

Alhadji Adegbenro : A petition has recently been submitted to the Ministry through the Local Government Adviser at Ilaro. The Ipokia District Council has now been directed to appoint members to the Standing Committees in proportion to the representation of the political parties in the Council.

Construction of Ogotun-Ipetu Road

41/58. **Mr G. B. Adeyemi** asked the Minister of Works and Transport what aid the Government would give to the people of Ogotun in Ekiti Division to complete the construction of Ogotun-Ipetu Road which was done by communal labour and asked further whether the Minister was aware that on its completion it would be the shortest route connecting Ekiti South and Ado District with Lagos.

Parliamentary Secretary to the Minister of Works and Transport (Mr J. A. O. Ogunmuyiwa): Mr Speaker, Sir, no funds have been allocated for road construction in the present Development Plan. However, this particular road will be considered with others when the next Development Plan is drawn up.

Customary Courts Law, 1957

43/58. **Mr Adeyemi** asked the Minister of Justice what conditions were to be fulfilled before the Customary Courts Law, 1957, became operative in Ekiti Division.

Mr Okusaga : The Customary Courts Law is expected to be applied to the Ekiti Division on 1st October, 1958, and a Legal Notice will be published in the Supplement to the *Western Region of Nigeria Gazette* shortly announcing the appointed day. A notice will also be published giving particulars of the Customary Courts being established. No conditions as such are required to be fulfilled, but certain preparatory work (including preparation of Warrants, appointment of members of courts, etc.) is required ; there is no reason to suppose that this preparatory work will not be completed by the appointed day.

Scholarship Award to Ekiti Division

44/58. **Mr Adeyemi** asked the Minister of Education to state the number, names and towns or villages of candidates from Ekiti Division who had been awarded Western Regional Government Scholarships between 1st April, 1955 and 31st March, 1958, and to indicate the courses for which, and institutions where, such scholarships were tenable.

Mr Okusaga: The information required by the Hon. Member is furnished in the Table below :

POST-SECONDARY SCHOLARSHIP AWARDS TO EKITI DIVISION DURING THE PERIOD
1st APRIL, 1955 TO 31st MARCH, 1958

Year	Total Number of awards	Name	Place of Birth	Course	Institution where award tenable
1955	5	S. A. Adefemi Z. O. Ilori E. Adeshina R. F. Esan G. Akingbade	Emure, Ekiti Ode, Ekiti Emure, Ekiti Afao, Ado-Ekiti Oke Mesi, Ekiti	Science and Mathematics Science and Mathematics Dentistry Forestry Survey	University College, Ibadan. University College, Ibadan. N.C.A.S.T. ; and United Kingdom. Dundee Technical College, Edinburgh. N.C.A.S.T., Enugu.
1956	10	J. A. Adebayo J. B. Kumakpayi T. A. B. Adenipekun O. Akindahunsi E. A. Babalola J. A. Adedeji E. O. Aina R. A. Areje S. B. Aje C. O. Makanjuola	Emure, Ekiti Ikole, Ekiti Ado-Ekiti Ise, Ekiti Ado-Ekiti Oke-Mesi, Ekiti Oke-Ayiedun Oke-Ara Oro, Ekiti Efon,-Alaye	Accountancy Public Administration Public Administration Estate Management Estate Management Physical Education Occupational Therapy Librarianship Librarianship Hospital Administration	N.C.A.S.T. ; now at Leeds College of Commerce, United Kingdom. Exeter, United Kingdom. Exeter, United Kingdom. College of Estate Management, United Kingdom. N.C.A.S.T., Enugu. Loughborough College, Leicester. School of Occupational Therapy, London. School of Librarianship, Loughborough College, United Kingdom. School of Librarianship, Loughborough College, United Kingdom. Institute of Hospital Administrators, United Kingdom.
1957	4	M. O. Eperokun M. A. Abiara G. F. Arije J. O. O. Bamgboye	Ijero, Ekiti Ado-Ekiti Egosi, Ekiti Ikerre Ekiti	Bachelor of Arts Solicitorship Veterinary Science and Mathematics	University College, Ibadan. To be attached to a Firm of Solicitors in the United Kingdom. United Kingdom. University College, Ibadan.

Oshun Bridge

45/58. Mr D. A. Oyewale asked the Minister of Works and Transport to say whether in view of the fact that there was financial provision for the reconstruction of old bridges but because there was a general shortage of engineers to cope with the present volume of work in hand he would consider the possibility of giving some of those construction works, particularly of the Oshun Bridge at Ede, to competent contractors.

Mr Ogunmuyiwa: A firm of Engineering Consultants is engaged on site investigations, the preparation of designs and contract documents in connection with a bridge strengthening and reconstruction scheme, covering a large area of Trunk "B" roads.

2. The Consultants expect to have the contract documents ready by the end of December 1958. Tenders for a contract which will cover the Oshun bridge at Ede will then be invited.

Ministerial Statement

The Minister of Economic Planning (Chief C. D. Akran): Members will recollect that in moving the Second Reading of the Appropriation Bill on 13th March, the Minister of Finance spoke on certain matters connected with the Civil Service. One of them was a survey of the manpower position in the service. The Minister mentioned that it had been decided to set up a survey team and that he hoped to be in a position to report developments in the next meeting of the House. I am pleased to be able to report that the members of the team in spite of severe difficulties owing to the heavy pressure of their other duties, have made considerable progress and have presented an Interim Report which is now being studied.

The survey team have naturally touched on matters of training in the Public Service and it is therefore particularly opportune that I am able to mention another welcome development in public service matters. Through the good offices of the Ford Foundation of America, Government has been fortunate to secure the advisory services of an expert in the field of personnel organisation and of staff training and manpower—Dr Donald Kingsley of New York. Dr Kingsley is the author of a book on the Civil Service, was Executive Director of the War Manpower Commission of America in the Second World War, and was later an Associate Director of the Office of War Demobilisation and Reconstruction, subsequently becoming Director-General of Post-

War Rehabilitation. Dr Kingsley arrives in the middle of August and should be with us in the latter part of September, and his advice on measures to accelerate the in-service training of young Nigerian officers, who must now increasingly assume responsibility in the senior posts, will be eagerly awaited.

ORDER OF THE DAY

SUPPLEMENTARY APPROPRIATION (1958-59) BILL: SECOND READING

Order for Second Reading read

Chief F. Oputa-Otutu: Mr Speaker, Sir, before I make my comments on this Bill, I would like to draw the attention of this House to what I consider the contemptuous treatment being meted to this honourable House.

Mr Speaker, Sir, the Government of Western Nigeria has always prided itself on having adopted the United Kingdom standard of Parliamentary Practice, of following Westminster Parliamentary Procedure. And so it happens that, whenever this House is sitting, it is expected to debate—occasionally—the Supplementary Appropriation Bill. I would like to say, Sir, that in the United Kingdom the House of Commons sits continuously for a definite period. Usually, that House opens in November and adjourns *sine die* about the end of August, and goes on a summer recess. And when that House is sitting, Sir, Members are given the Supplementary Appropriation Estimates, and these Estimates are not debated until sufficient time has been allowed for a study of the Bill to be made. Now, Sir, when we came here, what the Minister of Economic Planning did was to spring a surprise on us by presenting to us the Estimates and asking us to read and digest them too hastily to be able to make an intelligent contribution to the debates within twenty-four hours.

Mr Speaker, Sir, the Opposition is the watchdog of the people of the Western Region, and we are expected to know how our money is being spent. Taxation is compulsory in this country, and if you pay tax you must know how your money is being spent. I would like the Government of this Region to adopt the United Kingdom procedure in a real sense and not deceive us by mere pretences. In future, Sir, we expect sufficient time to be given us to study and understand these Estimates so as to be able to make an effective contribution to the debates.

And now, Sir, to the Estimates. I would like first of all to say that although I am not

Appropriation Bill

[CHIEF OPUTA-OTUTU]

at all satisfied, that does not mean that I am opposing the Estimates. We are not opposing these Estimates but, at the same time, we are not supporting the method by which they are being brought before us and by which items are being inserted in them.

During the last sitting of the House, this House was told, during the debates on the 1958-59 Estimates, that a sum of £2,718,488 had been earmarked for Buildings, that a sum of £1,173,565 had also been earmarked for Roads and Bridges, and that a sum of £2,704,000 had been earmarked for loans. Now, Sir, this time we are being called upon to approve a further sum of money—£207,000—for Buildings, and £1,506,694 for loans. In other words, the Government of Western Nigeria wants to spend £4,210,694 on loans and loans alone. Recently we were told that a sum of £14,000 had been given out on loan to Chief Odutola of the Western Region for rubber processing. It was broadcast by the Nigerian Broadcasting Corporation. I think it was also reported in a Government newspaper. Sir, I feel that this question of loans must be looked into.

A few years ago the Government of Western Nigeria invested a sum of £1 million in the National Bank of Nigeria. Till today, Sir, no Director has been appointed to watch the spending of this sum of money. In other words, the people of this Region do not know whether this money is still intact or whether it has disappeared. The whereabouts of our £1 million is still unknown to us. But for the fact that the Fiscal Commission has brought the facts to our notice, we would never have known that we have a sum of £1 million lying somewhere.

The Minister of Home Affairs and Midwest Affairs (Chief A. Enahoro): I am afraid the hon. Member must be either very ignorant or very forgetful. A statement was read and debated on the floor of this House.

Chief Oputa-Otutu: Mr Speaker, Sir where is our £1 million? We want this money to be taken out because we understand that it is being loaned to the Action Group Party to enable them to campaign against the NCNC and to bribe the Northern electorate. (*Interruptions*). We want our one million pounds. When the Eastern Nigerian Government loaned out only £90,000 to the Eastern Regional Development Corporation, they appointed three directors. Our Government has invested one million pounds and

nobody knows its whereabouts. I am afraid, Sir, we must know where this money is.

Mr Speaker, Sir, if you again observe, a sum of £430,000 has been set aside for local councils. We are not surprised, Sir, why the Action Group party has been fighting fanatically, tooth and nail, to gain control of all the councils in the Western Region. They want to make sure that this sum of £430,000 is controlled by their own councils. Mr Speaker, Sir, we have already said in this House that we need money for important developments. You will be surprised to know, Sir, that the tarring of the road between Agbor and Sapele has been stopped. The tarring of this road only commences when an election is imminent. As soon as the election is over, the tarring of the road is stopped. That is what the Government does. In October next year they will start another tarring, do a few miles and stop. The tarring of this road was stopped a month ago on the pretext that it is raining. Technicians and engineers are no longer there. It is time the Government stopped fooling the people of the Midwest, in particular, and the people of the Region, in general.

Mr Speaker, Sir, again you notice that a sum of over a million pounds is being voted for loans. A large proportion of this will go to the Production Board and that is the end of that money. A percentage of it will be used on buildings and the Action Group Party will collect the usual traditional 10 per cent which they use in fighting the other political parties in this country. I should like to say that we are not at all happy about the manner our money is being spent. You ask the people to pay tax and you use the money to foster personal ends.

Mr Speaker, Sir, I do not intend to comment on the Electoral Commission because I have a Motion which I hope to bring forward in this House to show facts about this Department, and for the meantime I leave that Department alone.

But Sir, I should like to speak about the Local Government Service Board. Mr Speaker, Sir, I do not know the method of appointing members to that Board. I understand members of the board are appointed on the recommendation of the particular Minister in charge of the Ministry, this time the Ministry of Local Government. Mr Speaker, Sir, I have been informed that one or two members of this Board are Action Group fanatics and this has made the people of the Western Region lose confidence in the present Board.

Government Benches: Name them.

Chief Oputa-Qtutu : You know them very well.

Mr Speaker, I understand that pressure is brought on this Board by the Minister of Local Government to dance to the tune of the Action Group councils. If an NCNC council has a stubborn Secretary it is impossible to remove such a Secretary. The Secretary will instead be promoted. If on the other hand, an Action Group council makes any report to that Board, it takes action immediately by either transferring the Secretary or removing him from the Service. Mr Speaker, this does not do any credit to that Board. The Minister of Local Government has been putting pressure on this Board to carry out his wishes.

Mr Speaker, before I take my seat, I should like to draw the attention of this House to an announcement made by the Premier of the Region. I understand that in two days' time the Premier will be going to the North for political party purposes. Why I have decided to make this comment is because there is need for cordial relations between the various Regions of the country. I understand that during the last tour which he made, in Igalla he made many provocative speeches which earned him a repatriation, so to say. I do hope that this time he is not going to cause more trouble.

Mr Speaker, in conclusion, I shall try to summarise all I have said. First of all, Sir, the people of the Western Region would like to know what has happened to their one million pounds which has been invested in the National Bank of Nigeria and the Cameroons for the past five years without a director. We would like to know what has happened to this money because we understand this money is being used by the Action Group to bribe the people of this country for the forthcoming Federal Elections. We understand that several lorries, cars and bicycles have been sent to the North and that it is from this money that the Action Group obtains its funds. They spend the money on buildings and give out loans to party supporters so that they can collect the 10 per cent bonus on them. There is no money to tar our roads. Recently many divisions were amalgamated into one under the pretext that it was for economic reasons, but we know fully well what is happening. It is because the Action Group wants money to be diverted to loans so that when they give out these loans they can collect their own 10 per cent and use the money in fighting their political opponents; and that is why we say our money is not being properly used.

For example, if you had pursued your politics in a clean way you could never have got Aboh Division. In 1954 the Action Group controlled Ukwani District Council and when the first Federal election was held the Action Group candidate lost his deposit and when I contested this same election in 1956 my opponent lost his deposit. I know fully well that the only reason why the Action Group party is determined to control all the local councils in the Western Region is because they want these councils to control these loans which are now being given to the councils. These councils can then divert these loans to buildings and the Action Group collect their 10 per cent on them, and use this money to molest their opponents from now on till the elections. In 1954 you loaned all our money to Action Group farmers through the back door because you felt that that was a way of gaining support, yet you failed at the elections and we trust that in spite of these things you are again going to fail.

Mr Speaker, Sir, before I take my seat therefore, I would like to emphasise, again, over and over again, we want our one million pounds.

Mr A. R. Onwude : The tax-payers of the Western Region are again called upon to vote an additional sum of money, almost two and a half million pounds. This, together with the £25 million voted earlier in the year for the services and capital expenditure, bring the total vote to well over twenty-seven and a half million pounds to date. The year is only six months gone and I should not be surprised if by December we are again called upon to approve a further two and a half million pounds in order to round up the vote figure to £30 million in the current financial year.

It is good to have had the opportunity to scrutinise the supplementary estimates in their present form. It seems that the Government has something to hide, by intentionally omitting to give details and explanations on Head 324—Electoral Commissioner's Office—for which a further sum of £12,613 is required.

It is fantastic to believe that a state car for the Governor would cost £9,300. Also it is vague to explain that a further £1,076,000 under Loans is a revote without as much as telling us why that revote was necessary. I should not have quarrelled with the Government if this huge sum of revote under Loans was meant to provide subsidies for foodstuffs for the benefit of poor peasants and housewives who are confronted with imminent famine throughout the Federation.

[MR ONWUDE]

The rains fell below the average of previous years this year. Therefore food crops will not be sufficient to go round. Before it is too late I suggest to the Government to send food missions to the Sudan, Belgian Congo and East Africa to negotiate to buy up food surpluses in these places, particularly rice and maize.

I am definitely opposed to the emphasis being placed by this Government on cash crop to the detriment of food crop in this Region, resulting in more money in circulation and mal-nutrition. The health of the people of this Region and, in fact increased population, depends so much on their having sufficient to eat.

Again Sir, money loses its value when it has not enough to buy. Therefore, this Government should not wait until the workers reach breaking point and agitate for more pay. Before then the Government should realise that famine is indeed at its gate. The result of the food mission will no doubt benefit both the farmers and the workers of this region and will also give a lead to other Governments of the Federation. For no reason other than this, Sir, I do not believe that the Government deserves the additional vote.

I know this limited liability company which goes by the name of Action Group Government of the Western Region well enough safely to infer that instead of having the courage to face the coming political battle with a clean fight, it is finding the money through this Legislation for dirty weapons against the next Federal elections where, if defeated it will resort to the purchase of Opposition Members who cross the carpet shamelessly so often in this House. This money politics must stop before greater harm is done to the good name and sense of mission of politicians in Western Nigeria. Democracy is being crushed instead of being practised in Western Nigeria by the Government Party encouraging Opposition Members to cross the carpet.

Mr Speaker Sir, I know the Government Party does not like to hear the truth, nevertheless I would make the following special appeal to the Minister of Agriculture and Natural Resources to go into the problem of land erosion in the North-East district of Afenmai Division. In the whole division erosion is threatening so much that places like Uzairue clan, Anvianwu clan, and Ekperi clan, Weppa Wano clan and a portion of Aviele/Agbede and Auchu clans are fast becoming desert and therefore unproductive.

Besides, the farmers of these areas are suffering terrible defeat by yam beetles. I should like the Government to send an expert to Afenmai Division to report on the cheapest method of combating the army of beetles. In the meantime Government should send a considerable quantity of soil manure to the farmers in Afenmai Division.

Mr E. O. Fakayode: Mr Speaker Sir, I wish to join my Colleagues on this side of the House in condemning the attitude of this Government in presenting supplementary estimates at each session of this House.

It appears that they are adopting the practice of always asking for more like Oliver Twist. In March this year the Government asked for money to provide for the services of this Region, in June more money was asked for, and in September Government is asking for more money to run the services of the Region. One can therefore safely conclude that probably after the Constitutional Conference the Government will come back asking this House to make supplementary provision for the enjoyment of Ministers in London during the Conference (*Interruptions*). Then we may be forced to make some severe criticism of any future estimates submitted during the year.

Be that as it may, Sir, I wish to say that I propose to criticise these supplementary estimates because I feel that the Government is either asking for money unnecessarily or it is asking for money that it ought not to ask for. Therefore, with these two principles in mind I wish to make some observations on the Item.

In March this year, under Head 701 of these Estimates, the Government asked for the sum of £100,000 for the building of the High Court in Ibadan. Till now I do not think anything has been done about this project. Mr Speaker Sir, you must certainly be aware of the fact that the judges of this Region, particularly those living in Ibadan, are accommodated in very poor buildings.

Apart from the building itself the seats and the tables which are used by the hon. Members who practice in the Court are in a very shameful condition. Instead of asking for more just to build a new High Court the Government should also include the building of magistrates' courts as well.

I wish to draw the attention of this House to the supplementary estimates for water supply investigation and consultation fees. In March this year, the sum of £6,000 was asked for for the purpose of enabling this Government to make investigations and research into water supply in the Western

[MR FAKAYODE]

Region. At this session we are being asked for another sum of £15,224 for the same purpose, making a total of £110,224. Surely Sir, this is too exorbitant for that purpose. We all know the geography of the Western Region. It is not a desert where you find it difficult to find water. It is a place which is blessed with annual rainfall, so we do not see the need for any highly scientific investigation into water supply in this part of the world. The only way to supply water is either to have it pipe borne or to sink a well. There is no need to ask for the fantastic sum of £110,000 within six months for the purpose of mere investigations. What Investigations? We want to know in what areas in the Western Region you find it difficult to get water. (*Interruptions*). There is no need for investigations at all!

I am saying Sir, that during the March Session the sum of £2,000 was allotted to each province for the purpose of rural water supply. If Government will be wise in its expenditure I do not see why the sum of £110,000 should not be evenly distributed for the purpose of rural water supplies to the provinces. I say with all the emphasis at my command that this type of investigations shows an attitude of this Government which stands to be condemned.

Spending £300,000 for Yoruba Research! Mr Speaker, this research stands to be condemned. We want things that will yield us profit.

Government Members: Like what?

Mr Fakayode: Like the Egbe Omo Oduduwa! (*Laughter*).

Mr Speaker, another aspect of the estimates to which I wish to draw attention is about these loans being made to the Corporations. Speakers from this side of the House have really expressed the fruitlessness of the effort of this Government in giving loans to these Corporations. We do not know when loans are granted—we just hear from time to time that thousands of pounds or millions of pounds are being given to the Corporations. Nothing more is heard of it.

Another aspect is, for instance, that in March this year, Mr Speaker, a sum of £274,000 was asked for in this hon. House for the purpose of financing the Finance Corporation. For what purpose we were never told. This session we are being asked to make another supplementary provision for the same Finance Corporation for another sum

of £1,076,000. But Mr Speaker, March to September is only a period of six months. We do not know why the Government is asking this House for a further supplementary money to the tune of one million pounds: That is why we on this side of the House believe the rumour which we have heard from time to time about the Party in power. In June this year we were told that the Party in power is ready to spend the sum of one million pounds on the elections.

Opposition Members: Who told you?

Mr Fakayode: Mr Speaker, Sir, we see vans going to and fro in Ibadan and other places. We also hear of people, Action Group lawyers, being employed, their cars being paid for, their salaries (*Interruptions*).....and there are many lawyers now in the Court getting fantastic salaries—£2,000, £3,000—and their families in Ibadan are being looked after. Again, Mr Speaker, Sir, you will find in effect that the NCNC Members in the Region do not borrow Government money; those who borrow money are the Action Group. (*Interruption*). Mr Speaker, Sir, if we put two and two together we shall see that there is no other reason why this sum of £1,076,000 should go through the back door of the Government. That is what we are being asked to vote. (*Prolonged interruption*).

Mr A. Adisa: I rise to speak, but I cannot say I feel overwhelmed with joy, because the greatest parliamentarian this House has ever produced, and whose seat I now fill, is no longer with us. I am reminded of the fact that in this House he has always been accusing the Government of squandermania, and that is what these supplementary estimates have shown beyond any doubt at all. (*Applause*).

Chief Enahoro: If Opposition Members interrupt with "fire, fire!", we will be compelled to interrupt with jeers, but we should all give a new Member a quiet hearing, so that he can make his maiden speech in an atmosphere of tranquility.

Mr Adisa: Mr Speaker, Sir, I do say this, I am asking for no quater.

Chief Enahoro: Mr Speaker, it is not a question of what the hon. Member asks for, it is a question of tradition, as the new Member will soon learn.

Mr Adisa: Well, Sir, I should say this, that all this money being asked for, the money for which you actually do

[MR ADISA]

not give any value—you do no job for it—all I am going to say, Mr Speaker, Sir (*Interruptions*) (*An hon. Member: He is a new Member*). I am merely going to treat the matter in a manner here to show that the Minister of Local Government, instead of doing an honourable and useful job, has actually indulged in oppressive and repressive measures against the newly-elected District Council of Ibadan. And this shows not only that the Government Party have failed woefully—they failed woefully to account for the money which they asked for because they have not done the work for which they have been elected—the job which really they are employed to do, they don't do it—Not only that, but the way they get everybody here to pay rates and taxes, is in no way encouraging, and I could cite so many instances where I do feel that—if Mr Speaker would kindly accept that word—I do say that the Ministry of Local Government has failed in its responsibility, its primary responsibility of conducting the affairs of the Ministry in an impartial manner.

Now, Mr Speaker, Sir, it is known—I will concede—that the hon. the Minister of Local Government is a layman; that will be considered. But at his elbow he has all the members of the staff who could tell him that the only Council which is responsible for the collection of rates is the one which actually made the assessment, the Regional Authority, which assessed those people for that area. So, responsibility for collection of rates and arrears for the past years rests primarily on the Action Group controlled District Council; all that there remains is a moral responsibility—put at its highest, it is only a moral responsibility—for the NCNC-controlled and newly-elected Councils to collect those arrears, and now the persistent rumour, heard from the most authoritative quarters, is that those Councils will be dissolved on the pretext that they have failed to collect arrears which were outstanding not within the financial year in which the NCNC Council was elected, but are the arrears which the Action Group and their fellow travellers have failed to collect because.....all they engaged in was the oppression of their political opponents. So I wish, Mr Speaker, Sir, to say that there can be no reason, no cause for the Minister of Local Government to threaten to dissolve this newly-elected Council on the matter of collection of arrears of rates. I will go further, to say that he has not been sticking to the Law

in his conduct to that District Council. The Council said that it would nominate 128 Assessment Committees and its decision was sent to the Ministry of Local Government. The Law is clear, within the four corners of the Local Government Law; it is the directing authority that has the power, I mean the plenitude of power, to appoint the number of Assessment Committees. Unfortunately the Ministry of Local Government misunderstood its legal powers and insisted that only seventy-eight Assessment Committees should be appointed for the whole Council. And that of course would not mean that the uppermost thing in the mind of the Ministry was to facilitate the collection of rates, but to play politics—party politics, all things which we condemn, all things that don't go down well with people who were assembled here on the occasion of the celebration of self-government in the Region.

Now there is also the question of the delay in the Ministry to approve the number of Assessment Committees sent to them. One would have thought that anybody who is interested in the collection of arrears would seize the opportunity to approve everything that is proposed before it by a newly-elected Council which actually is not legally responsible for the collection of the arrears, but is only morally bound to do so. What do we see on top of this in spite of denials to the contrary? There was no doubt that it was suggested that unless the Assessment Committee could be composed of six members—four NCNC and two Action Group members—no authority would be forthcoming. That must have been a pre-arranged plan between the high-ups in the Action Group, but by a slip the letter of authorisation was sent to the Council and, of course, that is how it actually got the signature of the most responsible person in that Ministry. Later, there came a sharp recall of that letter and everything said there was withdrawn. And that, I say Sir, puts the blame on the whole of the Ministry; not only the Ministry, but the whole Action Group Government, the whole Cabinet, sharing collective responsibility for having only a kindergarten approach to politics.

Now again, Sir, not being satisfied with this kind of persecution mania which has been absolutely condemned by all the electorate during the last local elections and the bye-election which followed, all of us had perhaps the joy and the fun of seeing both the Premier and the hon. the Minister of Justice mounted on soap boxes, and going to campaign in the

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[MR ADISA]

villages. Notwithstanding that, immediately after the Council was elected the only thing that they thought of doing was for the acting Minister of Local Government to grant a Press Conference and there he announced—instead of coming to this House to make a major pronouncement on policy as is constitutionally the practice the whole world over, for the Minister is responsible to this House and not his pressmen, his yesmen—that there would be a grant of autonomy to the Local Councils and that Ibadan would be an exception, it would be treated with partiality. And why is this being done in the name of democracy?

Hon. Members would no doubt agree that the way the Action Group are conducting the business of the Government is a way which does not entitle them to hope that they will be in the Government for the next twenty-five years, but only for the next two or three months.

Well, Sir, I say that the main reason for the arrears which are outstanding in the District Council and which I say the Minister of Local Government has not used all efforts to get collected, is because, instead of co-operating with the Council, all he is engaged in is trying to cheat or hoodwink the Chairman, forgetting of course that the Corporation cannot be bound by the Chairman at all unless the Chairman of the Corporation does give authority or ratifies subsequently everything that the Chairman has done, and that is why the statement which the hon. Minister of Local Government made here yesterday does not hold water. It is an argument that is not sound and I beg to say that it is only a lot of excuses. It is worthless for the Minister to come forward and say that he has arrived, or he has had an argument with the Chairman of the Local Council, when his proper duty is always to communicate with the Council officially, and get such a prize officially.

Now, I say, Sir, that the Council has done its best, because since the Council was elected it has collected over £57,000 arrears. It has done that because we of the Opposition consider it our duty to pay our rates and taxes. Of course, we do object to the way these rates and taxes are being spent. Mr Speaker, Sir, I am saying that the arrears really do not stand up to, or add up to, the figure which was being publicly advertised in order to prepare the ground for the move, for the mooted dissolution of the Council.

People who live most of their lives in farms have been assessed in their farms settlements and when they come to Ibadan they also get another assessment, so if the amount is thoroughly gone into it will be found out that the arrears do not add up to the fantastic figure of £250,000. Apart from that, Sir, there has been embezzlement on the widest scale. As this matter has been reported to the Police it is hoped that nobody will try to interfere with the course of justice. Now sir, in the matter of the relationship between the Council and the Regional Government, we of the Opposition are praying the Minister of Local Government to eschew party politics and be a statesman, and of course when the Minister goes to his constituency at Egbado (*shouts of "Abeokuta, Abeokuta" from Opposition Members*). I am sorry Mr Speaker, Sir, he looks very much to me like an Egbado man (*laughter from the Opposition Benches*). Now sir, I shall now go on to the general charge of squandermania of which the Regional Government has again been accused. I say that the whole financial policy of the Government reveals some hollowness of theory and shabiness of practice. I say sir, that there is no need at all why our Ministers should spend their leave in the United Kingdom. There is no reason at all. (*Government Benches: Dr Azikiwe is there in the United Kingdom*). I am responsible to this House. I pay my rates to the Western Region and I am saying, Sir, that it is real squandermania for anybody to develop some kind of mania which he thinks can only be cured adequately when he goes to the United Kingdom. Can it be said, Sir, that there are no sick people in the United Kingdom? Is there any reason why we cannot now suggest that because our Ministers are going to the United Kingdom to spend their leave they are removing themselves from the common man? They do not know that it is their duty to move with the common man and it is the responsibility of the Opposition always to call them back to the path of sanity, the path of reason and the path of commonsense (*cheers from the Opposition Benches*).

Chief Enahoro: On a point of order Sir,

Opposition Benches: What number?

Mr Speaker: Order, order. Will the strangers in the gallery know for certain that if there is any interruption either by way of clapping of hands or by raising their voices in any manner whatever the gallery will be cleared. Will the hon. Gentleman continue.

Mr Adisa: Mr Speaker, Sir, I say that the Ministers are undertaking extensive tours overseas. Those who are not Engineers have been going to Engineering Factories and have been inspecting Engineering Factories though they have not the ability to learn anything there, and that is one of the ways of spending the money of this Region. It is well known, Sir, that most of these people who go on these expensive tours are people who tomorrow will be out of this House and it is not known whether the knowledge which, if any, they have gained will be usefully employed in the conduct of the affairs of this Region. Also, Sir, I beg leave to say that the travelling allowances being given to the Ministers is too excessive. It is quite known that the average daily pay of an average worker is even less than £60 per annum. Anybody knows it and, in fact, it has been legally presumed here in Ibadan that everybody earns, say, £60 per annum which of course means that the common man is supposed to live on £5 per month. The Minister's car lives on £200 or over every month. So, more premium is being placed on these lifeless things which belong to the Ministers than on human beings who are as entitled to decency as anybody present here in this hon. House, Mr Speaker, Sir. Again Sir, I would propose a general statement of policy in respect of the salaries of Ministers. All that is being indulged in is the pocket—"my pocket, and the rest can go to rot". Why should the expatriates who leave their own homes to come here not receive more than the Africans whose people are here and whose homes are here? Why not think of the common man first, the common man whom we are expected to serve? Why do we not devote everything to the common man and accept the same pay? Mr Speaker, Sir, if we cannot exceedingly be better there is no reason why we should be as bad.

Mr Speaker: Order, order. May I remind the hon. Gentleman that he has got three more minutes.

Mr Adisa: It was adequately dealt with in the Minorities Commission but the Regional Government continues to provoke disturbances and disorders. The Regional Government is committed to maintain peace, freedom and parliamentary democracy and these are not always to be given a negative content. I say that the Ministry of Works and Transport should stop giving out all contracts to those contractors who are the darling boys of the Action Group. I think last year, Mr Speaker Sir, hon. Members

across the carpet were asked to remember that it is the interest of the common man which should be uppermost in every consideration whenever they were preparing estimates.

Alhadji Adegbenro: Mr Speaker Sir, since the hon. Member for Ibadan South has made comments on the Ibadan District Council in what people call his maiden speech in this House I wish to make certain facts clear. Mr Speaker, Sir, even though the hon. Member tries to replace, or take the seat left vacant by, the late Leader of the Opposition yet Members on all sides of the House will agree with me that the speech which the hon. Member from the other side has made is in no way a substitute for those brilliant speeches by the late Leader of the Opposition, Alhadji Adegoke Adelabu which you all listened to in this House. (*Cheers, cheers from the Government Benches*). The hon. Member for Ibadan South also refused to accept the advice of my colleague the hon. Minister of Home and Midwest Affairs that he should take his time to learn parliamentary procedure in this House and parliamentary language. I do hope that in course of time the hon. Member for Ibadan South will learn that parliament can never be compared with a Court of Law. This is a parliamentary building and we in parliament here use parliamentary language and decorum and all things said are expected to be decent. I will now answer the allegations made by the Member for Ibadan South about the assessment conditions for Ibadan and also about the collection of the outstanding rates to the tune of £240,000. I said in this House yesterday, Mr Speaker, that the Members of the Opposition who now control the Ibadan District Council approached me and I have a record of that meeting, and the hon. Member for Ibadan South was a member of the delegation that saw me in June. At that Conference I gave assurance that I, on my part, and on behalf of the Ministry of Local Government, would do everything to give whichever party won the Local Election advice and co-operation to see that that Council performed its duties satisfactorily. I am repeating it on the floor of this House that the hon. Member for Ibadan South was present at that meeting. Mr Speaker, Sir, I have said that I have records of the proceedings.

Opposition Benches: Produce them.

Alhadji Adegbenro: The present Chairman of the Ibadan District Council led another delegation to me over which the hon. Minister for Economic Planning presided, and there I repeated this assurance, and the

[ALHADJI ADEGBENRO]

Chairman himself gave another assurance that the present Council would do its best to collect the outstanding balances of rates. I challenge the hon. Member to deny giving that undertaking (*Interruptions*).

Mr Speaker, Sir, if I may refer to the allegation that the Council is being threatened with dissolution, I would like to say that the hon. Member who made that allegation must have been having an imaginary fear because of the present performance of that Council. Nothing certainly would prevent Government from taking appropriate action where necessary, but that is not the case and if this Council shows a great deal of responsibility in the discharge of its duties, I, for my part on behalf of the Ministry of Local Government, will continue to give it my support, but the trouble in Ibadan, Sir, is this: here is the hon. Member who comes from Ibadan South and there is another hon. Member who comes from Ibadan South, both of them probably running the same council together, but they never can agree.....

(*Shouts of "No! No! No!"—from the Opposition Benches*). (*Interruptions*)..... or the argument would have been that a letter of agreement on behalf of the Council ought not to have come to me, or that the Chairman of the Council ought not to have had any discussion with me at all, but all discussions should have been at an official level (*Interruptions*).

Mr Speaker Sir, I should like to say this, Sir, that after the Conference between the Representatives of the Council and myself over which the hon. Minister of Economic Planning presided, I put forward the proposals agreed upon by the Council. The Council met, considered them and I received confirmation to that effect in writing over the signature of the Secretary of the Council. I know not, Sir, therefore, what other official channel should have been pursued.

Mr Speaker, Sir, in regard to the appointment of assessment committees, that is very clear. My Friend, the hon. Member for Ibadan South has to do a little bit of study of the Local Government Law rather than his Law textbooks. And, with your permission, Sir, I would like to refer my hon. Friend to section 143 of the Local Government Law, with regard to his statement. When I have read the relevant section, I will leave it to your judgement, Mr Speaker, to decide whose responsibility that is. The relevant section says:

"For each rating authority, in whose area the system of rating upon income is for the time being in force, there shall be such number of assessment committees as the rating authority may determine".

Subsection (3) states:

"The number of members of an assessment committee, their method of appointment or selection, and their term of office shall be such as shall be determined by the rating authority and approved by the Minister".

Mr Speaker, Sir, you will understand that if the responsibility for approval rests with the Minister in the case of Ibadan, and the Local Government Adviser in the case of any other Council, that officer or the Minister responsible will have to be satisfied that the method of appointment, selection, etc., are properly in accordance with the provisions of the Law and that they are in the best interests of the community which they would serve (*Interruptions*).

Mr Speaker, Sir, the hon. Member for Aboh also alleged that the Government of this Region has stopped given loans to local councils as a bribe. I should like to say, Sir, that if that is one of the reasons why the hon. Member for Aboh has lost his seat as Chairman of Aboh District Council..... (*Interruptions*) Mr Speaker, Sir, the Member for Aboh after last local election lost his seat. I will tell you how he lost that seat.

Opposition Benches: Don't worry.

Alhadji Adegbenro: For three years, as I have said, the hon. Member was Chairman of the Ukwuani District Council. From my Ministry we sent out circular letters to all district councils asking them to apply for loans which were approved by this Legislature, as grants-in-aid to local councils, to enable them to discharge their duties and to provide and discharge additional amenities. In this circular letter we specifically defined the methods of application and for what purposes such loans might be applied for. Among them are loans for markets and things of that kind. But for three years Ukwuani District Council never applied for a penny. (*Interruptions*).

Opposition Benches: The Minister is lying.

Chief Enahoro: The hon. Member should withdraw that.

Opposition Benches: No.

Alhadji Adegbenro: I am sure that the hon. the Deputy Speaker will not deny the

[ALHADJI ADEGBENRO]

fact that Asaba District Council applied for a loan of £12,000 and that amount of money has been granted and has been paid out to the Asaba District Council, and at that time the Council was run by the NCNC.

Mr Speaker, Sir, I would like to refer to the question of the appointment of members of the Local Government Service Board. The Member for Aboh Division has made certain destructive and dishonest statements about the appointment of Members of this Board. In point of fact, Mr Speaker, Sir, members of the Local Service Board were appointed by the Governor on the recommendation of the Executive Council and I should like to mention the names of the members of this Board because the Member for Aboh has alleged that two of the members are fanatical Action Groupers—those were his exact words. The first Members, Sir, are Mr Justice R. Ade. Doherty, Mr P. J. Harris, Lecturer, Nigerian College of Arts and Technology, Mr T. E. A. Salubi, Acting Deputy Commissioner of Labour, and Mr J. S. O. Ogunnaike, formerly Senior Assistant Secretary, Ministry of Education.

Mr Speaker, Sir, surprisingly the hon. Member has been too cowardly to mention the names of the two members who he said are Action Group fanatics. It is very dishonest for hon. Members to come to the floor of this House to make remarks about distinguished personalities who have no opportunity of coming to the House to defend themselves. That is a very bad thing, Sir.

The points which have been made by the Member for Aboh are such as will not, by any stretch of the imagination, prevent this House from approving this Supplementary Appropriation Bill. Mr Speaker, Sir, I beg to support the Bill.

The Minister of Works and Transport (Chief A. O. Ogedengbe): Mr Speaker, Sir, I just want to clear the points raised about my Ministry by the new hon. Member, that is, the Member for Ibadan South. He made reference to contracts being awarded to members of the Action Group. I am sure that the point has been made clear to the Members of the Opposition several times that there is a Tenders Board, and this Tenders Board is made up of four officials and about twelve unofficial members out of which two members are invited each time to attend the Board. These two include members of the NCNC.

Mr Speaker, Sir, this panel of twelve people do not know the contract. The Minister

is not to approve whatever the Tenders Board does, but any decision taken by the Tenders Board is final. The report is simply submitted to the Minister of Works and Transport for information. That is about contract.

The Member for Aboh East referred to Sapele-Agbor road. Mr Speaker, Sir, I think the Member for Aboh East is an experienced parliamentarian and I think he should be expected to say things more acceptable than what he has said. Now with your permission I am going to read the latest road report submitted to me at the end of August. This was written on the 25th of August by the Controller of Work Service.

“Progress as at 25th August, 1958.....”

Members of Opposition: We don't want to hear that report!

Chief Ogedengbe:

“22 miles of surfacing were completed before work closed down. It is intended to continue work from September.....”

(*Interruptions*). Mr Speaker Sir, everybody should be aware that last year the rains were very heavy and a lot of materials and a lot of money were wasted when work continued in the rainy season. Nobody could forecast that there would be no rains this year because during the corresponding period last year there were heavy rains. We expect to start work again when the rains are lighter; but the hon. Member for Aboh stood up to say that the work was begun when an election was on and when the election was over it was stopped. This is far from the truth.

Reference was made to water investigation. The hon. Member in this respect is very ignorant. He should know that investigation work is carried out before any work is undertaken, and this investigation is done by experts. It is not done by either the Minister or the people working in the office, but by experts working in the field—technicians. It would mean just throwing money away if we should start work on projects like the waterworks worth thousands of pounds or the construction of a bridge which will cost thousands of pounds without investigation.

Mr Speaker Sir, it would be very dangerous if we should start to construct a bridge on which thousands of pounds will be spent without finding out what kind of material should be used and how strong the bridge should be. This will never be possible unless investigations are made and the people, the consultants who make these investigations have to be paid.

Another point Sir—the hon. Member for Ibadan South referred to the building of a Supreme Court.

Opposition Members: In the Western Region? You mean the High Court.

Chief Ogedengbe: Well, this building requires designing and planning and the work should be properly handled when it starts. Therefore we need engineers and enough inspectors of works to carry on the work.

Lastly, one of the Opposition Members referred to Ministers meeting factory owners and manufacturers of machines. Mr Speaker Sir, with your permission, Our Lord said: "The son of Man....."

Opposition Members: Are you preaching? (*Laughter on all sides*).

Chief Ogedengbe: Well Sir, I think that that visits of Ministers to establishments like factories are of paramount importance to this Region. We do not know how to manufacture these machines we purchase and I think, Sir, that it will be economical if we can know right from the horse's mouth how much such machines cost from their countries of origin. From this Sir, I think the hon. Member who raised the point will realise that the Government is doing this in order to defend the economy and finances of the Region.

From all there Sir, I strongly support the Motion for this Supplementary Appropriation Bill.

The Parliamentary Secretary to the Minister of Agriculture (Chief Z. A. Opaleye): Mr Speaker Sir, the Member for Afenmai East accused the Ministry of Agriculture of paying no attention to erosion in Afenmai Division. Mr Speaker Sir, this is the most cruel and untrue statement I have ever heard in this House. Now, Mr Speaker Sir, the fact of the case is that the Member for Afenmai East lives in Lagos. He has lost the confidence of his people.

Opposition Members: How do you know?

Chief Opaleye: He has found it impossible to go home and see what is going on in his area. Now, Sir, the Ministry of Agriculture has been doing a lot. We have efficient staff who advise people on how to prevent erosion and there are demonstration plots where farmers do go to see modern methods of farming. I am highly satisfied that the people of the area, the farmers, will be most annoyed about the ignorant statement made by the hon. Member here.

Opposition Members: That is abuse. It is no argument.

Chief Opaleye: Experiments are being made in several divisions because a certain system may suit one division and will be found technically impossible for another division; and the Ministry of Agriculture has been doing all its best to see that these experiments are performed all over the divisions.

Through the Speaker, I advise the hon. Member to go home and see the great work the Ministry is doing in that division and never again come to this House to make a statement which will annoy the people who elected him, otherwise I am sure in the next election he will not be elected.

The Minister of Trade and Industry (Chief A. O. Adeyi): Mr Speaker Sir, this morning we have had a good deal of ignorance revealed and it appears that Members do not know what their responsibilities are to the people who voted them into this House of Assembly.

Opposition Members: Don't tell us.

Chief Adeyi: We have heard enough of untrue statements and I think Members who deserve to be called hon. Members in this House should be true to themselves once a while.

Opposition Members: Lecturer in Economics!

Chief Adeyi: The Member for Afenmai Division, when he was talking, said that there was shortage of crops in the Region. I should like to clarify this point. The Ministry of Trade and Industry, in conjunction with the Ministry of Agriculture, is doing everything possible to make provision for food crops in this Region. This is the way this is being done—if the hon. Member understands fully the purpose for which the Finance Corporation was established, he would not have made such a statement on the floor of this hon. House—the Finance Corporation was established to give short term loans to farmers, fishermen and other people to produce food crops.

Opposition Members: Action Group supporters.

Chief Adeyi: Unfortunately, the Member for Afenmai East does not seem to realise the importance of the Finance Corporation.

The Member for Aboh, when he was talking, revealed his gross ignorance. He said that one man, an hon. Member somewhere, borrowed £40,000 from the Finance Corporation. This is far from true. The Gentleman borrowed only £25,000 the balance of which is £864 due in December 1958.

[CHIEF ADEYI]

For the information of the honourable Members of this House, the Obanla elect still has a very very bad deficit with the Finance Corporation. He borrowed his money just exactly in the same way as Chief Odutola did. Chief Odutola borrowed his money just as any other person did.

Mr J. O. Fadahunsi : Mr Speaker, Sir, on point of explanation.....

Mr Speaker : If the honourable Minister is yielding.

Chief Adeyi : I am not yielding.

For the information of the Members on the other side of the House, if you want to borrow money for industrial and agricultural projects, the Finance Corporation is there to be approached.

Mr Speaker, Sir, I consider it a very misleading statement indeed for any Member of this House to rise and say that the Action Group or the Government of this Region gives money to the Finance Corporation for purposes of elections. This shows very clearly what the Opposition would do if they were to be on this side of the House.

Opposition Benches : Certainly. Yes, we shall be.

Chief Adeyi : I would like Members opposite to read and understand the purpose for which the Finance Corporation has been established.

We need this money which is being asked to be revoked because the Finance Corporation is supposed to encourage industrial development in this Region. Short term loans have been given in aid of Aro Cement Factory, the Ceramic Project, G. L. Gaiser Limited, etc. All these are developing very useful industries which Opposition Members do not seem to appreciate.

Mr Speaker, Sir, Members of the Opposition have to go back and study the laws which they have themselves approved in this House, by which our Corporations have been established.

Mr Speaker, Sir, I beg to support.

Chief Enahoro : The only point which has been made against my Ministry is the contemptuous remark made by a Member for Ibadan, about the "Yoruba Research Scheme". The trouble with this hon. Member is that he is not aware of the purpose of the Scheme. Mr Speaker, Sir, this scheme has been set up in order to study the History

of the Yoruba from the earliest times based upon the theory of their migration from the Near-East, etc., etc.

Opposition Benches : Who is the Director ?

Chief Enahoro : The Director is Dr Biobaku.

Opposition Benches : What is the cost of the Scheme ?

Chief Enahoro : The scheme is spread over five years and the cost is over £30,000.

As I said the Director is Dr Biobaku, and there is no Yoruba who is better qualified than he. The Scheme is to cover five years, and the staff comprise both Yorubas and people from the Midwest because of the connection between the Edo people (some of them, of course) and the Yorubas.

There is also a Federal Government Scheme which is costing the Federal Government about 60 per cent more, on the History of the Edo people. These two schemes are being run conjointly, and I am sure the hon. Member will not make further remarks on this subject next time.

Mr Speaker, Sir, the second point made was that sufficient time has not been provided for hon. Members to go through the Supplementary Estimates before the Estimates were introduced for debate. Standing Order No. 70 sets out clearly that on the introduction of the Supplementary Appropriation Bill, the debate on the Second Reading shall take place in not less than one day. The Motion for this Appropriation Bill was moved yesterday, and the debate on the Second Reading proceeds today. It is possible for hon. Members to argue that the provisions of the Standing Orders are inadequate ; if that were so, the attention of the Standing Committee would be drawn to it, and the provisions contained therein revised. But as long as the provision of Standing Order 70 remains as it is at the moment, we shall abide by this standing order entirely.

The other point is the complaint by hon. Members on the Opposition Side that it takes a long time to go through the Estimates in order to be able to make useful contribution to the debate on the Second Reading. As a matter of fact, I do not think you are expected to read all the Estimates. One Member approached me yesterday and said "How do you expect one to read all these in a day ?" But if you go through the Estimates you will see that under certain Heads no new provision is required at all. Take for

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[CHIEF ENAHORO]

example my own Ministry. There is hardly a provision required. I hope hon. Members who have been here for long will not say that.

The next point I should like to touch on is the investment in the National Bank, which is five years old. This is not new. As hon. Members should be aware, all Banks in this country submit periodical returns to the Federal Government for checking. It is nobody's fault that the Western Region is now being represented by only two Members in the Council of Ministers. These reports are submitted to the Federal Government, and it is the Agency of the Federal Government that is entitled to go into all the accounts of the Banks. It is the Federal Government in which the NCNC until recently had a majority in the Council of Ministers.

A further point I should like to make, Mr Speaker, Sir, concerns us people from the backward areas. The people of Ibadan, and their hon. Members in this House, think that Ibadan is the Western Region. It is just by chance that Ibadan is made the Headquarters of this Region. I am a Member from Ishan Division, and as far as I am concerned Ishan is more important to me than Ibadan. There are also people from the Midwest on the Opposition side. But nearly every Session hon. Members from Ibadan come to this House to mention Ibadan problems. There are six and a half million people in this Region, and these people are spread all over the Region, not only in Ibadan. It is the policy of this Government to see that amenities go to backward areas as well as to developed ones. So the people of Ibadan should appreciate right from now on that when amenities are being distributed Ibadan will be considered along with backward areas.

One other point I wish to make is about Ministers going to the United Kingdom on leave. I should like to explain the circumstances of this case.

Now, Sir, hon. Members may not know that the Civil Servants—mainly the senior staff—are entitled to spend their leave overseas once in every five years. That is also the case with Ministers in this Region; that once in the lifetime of a Government a Minister is entitled to go on overseas leave. In the other Region that is not the case, it is at the discretion of the Minister to decide whether he should spend his leave in the United Kingdom or not. We here do not want a great disparity to exist in that regard between the privileges of the Minister and those of the Civil Servants. Further-

more, in point of fact, overseas leave by Ministers in this Region is subject to the consent and authority of the hon. the Premier, and I can assure you that it is not an easy thing to get the hon. Premier to give his consent, he does not do so until he is sure that to go on overseas leave would be of advantage not only to the Government, but also to the individual.

A further point I should like to make is that the standard of debate in this House today by the Opposition Members has been very boring. I noticed that several Members of the opposite side made charges and allegations against the Government, but whenever they are asked to produce evidence they will say that they read it from the papers. If you want to make an allegation against the Government, and your information was from a newspaper you must be prepared to produce such a paper with the permission of the Speaker. For instance, I read in the paper today that Mr Agbaje is the Leader of the Opposition. But I know full well the difficulties the Opposition are facing in the matter of selecting a new Leader of the Opposition. I am sure the hon. Members on the Opposition Benches would not like this side of the House to attach very little importance to whatever they say in this House.

The next point I should like to mention is about the new Member for Ibadan South. He made several charges against the Government.

Opposition Benches : He is not in his seat now.

Government Benches : He is coming.

Chief Enahoro : I hope Sir, whilst he is with us he will soon learn that to give an address in this House is different from addressing a Judge in a law court.

Lastly, Sir, one Member said that no Minister is answerable for Action Group affairs. I am to emphasise that every Minister has got his own function to perform every Minister has his own portfolio neither of which involves party affairs. The Action Group is a Party, and party affairs can never fall within the portfolio of any Minister.

Chief Akran : Mr Speaker, Sir, many of the charges and allegations made by some Members of the Opposition against the Government have been satisfactorily answered and the question of banking which the hon. Member for Aboh made the center of his attack happens to be a Federal subject. As has been explained, if the Member is not satisfied he has his remedy; he either goes to

[CHIEF AKRAN]

the Federal Government or he can go to the court, but we are not here either to defend the stand or to say how the money invested in the bank has been expended.

The question of money which we are seeking to appropriate for loans, I think, is a matter which will be a joy to every heart, because when the Finance Corporation has money to loan to farmers and industries, we shall be having not only agricultural extension but also industrial expansion and thereby increasing the earning capacity of our people.

The hon. Member for Ibadan East (Mr Fakayode) spoke of the frequency with which we ask for supplementary provision. I think that is a welcome thing because it shows there is progress. We do not ask for money which we know we cannot spend and when we know that there is need to spend more money we ask for it. As to how we spend the money, the Accountant-General is the Government Agent for keeping a watchful eye on our finances. He has issued a report which we have laid out on the Table here. Members will find that all the money is properly spent and that the Government is not doing one thing and telling Members a different thing in the House here. If we want progress in this Region we must be prepared to vote money. (*Interruption*)

We make provision for the money voted for the Corporation and the Corporation invests it so that we can improve this Region. I am sure that Members will agree that the method of improving this Region has been very successful indeed. Members know, when they came to Ibadan some years ago, what Ibadan was like then but if we look round today and see the result of the new developments achieved I feel that Members will even congratulate themselves that during their lifetime these things have happened.

Although the points have been covered I am not satisfied and I think I should say something to the new Member who took his seat here yesterday, about the dissolution of the Ibadan District Council. There is no intention on our part to obstruct the council. What caused the whole trouble before was that things have not been done properly as they should be done, and I should like to call the attention of the new man to the statement he made here this morning. He has told us here that their arrears were not as high as £260,000. Well, we have a report from the Ibadan District Council. We knew, and have always known this, that during election members of the NCNC in Ibadan promised

their followers that if they got into Ibadan Council they would neither levy rates nor collect arrears.

Opposition : No ! No !!

Government Benches : Yes ! Yes !

Chief Akran : This morning the hon. Member for Ibadan South told the House that it is not the responsibility of the new Council to collect arrears, and if they have done anything at all to collect a single penny that has been due to the efforts of the Regional Government. We have tied them to that and they must collect the money. We will make sure that they make an attempt and if they continue with the attempt I am sure all the money will come in.

I think all the other points Mr Speaker, have been satisfactorily answered, and after a serious attack the Member has ended by saying "I support" and I hope we shall now have progress and that the business of the House will be speedily finished.

Mr Speaker, Sir, I beg to move that the Bill be read a Second time.

Question again proposed.

Question put and agreed to.

Bill accordingly read the Second time and ordered for Committee now.

House in Committee of Supply

HEAD 322.—PREMIER'S OFFICE

Question proposed that the sum of £1,980 form part of the Schedule.

Question put and agreed to.

HEAD 324.—ELECTORAL COMMISSIONER'S OFFICE

Question proposed that the sum of £12,613 form part of the Schedule.

Question put and agreed to.

HEAD 325.—JUDICIAL

Question proposed that the sum of £643 form part of the Schedule.

Question put and agreed to.

HEAD 329.—MINISTRY OF ECONOMIC PLANNING

Question proposed that the sum of £622 form part of the Schedule.

Question put and agreed to.

HEAD 331.—MINISTRY OF FINANCE

Question proposed that the sum of £29,280 form part of the Schedule.

Chief Okunribido : I would like the reply in the Planning Committee about the £100,000 Bank of Nigeria Chairman, Government

Mr P. A. Okunribido : I would like to know the nature. When the Accountant-General the financial statement that on the Balances of 31st March because out only £11,100 call on the some definite are paid, and his method advances.

Question proposed.

Question put and agreed to.

HEAD 33

Question proposed.

form part of the Schedule.

Question put and agreed to.

HEAD 33

Question proposed.

form part of the Schedule.

Question put and agreed to.

Question proposed.

form part of the Schedule.

Question put and agreed to.

HEAD 33

Question proposed.

under Head 331.

Mr P. A. Okunribido :

wish to know in connection bridge construction House, we want to go to the construction though the Fund, some are being entirely new Aboh Division road and necessary, it is necessary to build roads in the Ndosimili area.

Chief Oputa-Otutu: Mr Chairman, Sir, I would like to make a very short comment on the reply made by the Minister of Economic Planning to my demand for explanations about the £1 million invested in the National Bank of Nigeria and the Cameroons. Mr Chairman, Sir.....(*Interruptions from Government Benches*).

Mr P. A. Afolabi: Mr Chairman, Sir, I would like to say a few words under Expenditure. When I read the Report of the Accountant-General, Western Region, for the financial year 1957-58, I discovered that on the debit side of the Statement of Balances of Motor Vehicle Advances as at 31st March, 1957, was a very sorry figure, because out of the total sum of £477,160 16s 5d only £11,107 17s 4d has been paid. May I call on the Minister of Finance to make some definite effort to see that these monies are paid, and I would like to know what are his methods for enforcing payments of these advances.

Question proposed.

Question put and agreed to.

HEAD 335.—MINISTRY OF HOME AFFAIRS

Question proposed that the sum of £6,500 form part of the Schedule.

Question put and agreed to.

HEAD 342.—LOCAL GOVERNMENT
 SERVICE BOARD

Question proposed that the sum of £8,010 form part of the Schedule.

Question put and agreed to.

HEAD 701.—BUILDINGS

Question proposed that the sum of £280,208 form part of the Schedule.

Question put and agreed to.

HEAD 702.—ROADS AND BRIDGES

Question proposed that the sum of £404,715 under Head 702 form part of the Schedule.

Mr P. V. Okwesa: Mr Chairman, Sir, I wish to make some relevant remarks in connection with the subject of road and bridge construction. Several times in this House, we have made appeals to this Government to give some thought to the question of constructing roads in Aboh Division. Even though the money comes from the Public Fund, some prescribed areas in the Region are being cared for while other areas are entirely neglected. I cite the instance of Aboh Division. If there is any area where road and bridge construction is very necessary, it is Aboh Division, particularly Ndosimili District. Not one mile of road is tarred and the Ashaka-Utagba-Ogbi-Abraka

road is the main outlet for the people of Aboh Division. There is another road to Asaba which can be developed. If that road is developed, the journey from Aboh to Onitsha will take one day instead of the two days which it takes at present. I do not know why every time the Government makes its Road Development Scheme Aboh is forgotten or neglected. What I am saying is that Aboh Division should have a fair share of the Road Development Scheme.

Chief Oputa-Otutu: Mr Chairman, Sir, I would like us to be as brief as possible. What touches the minds of a large proportion of the people of this Region is the provision of roads. Good roads make people earn their livelihood; they have to transport their commodities to places where they can sell them at good prices. Sir, it is therefore necessary that I should have to emphasise the need for good roads, and support the statement made by the last speaker in connection with Aboh Division. We have appealed several times on the floor of this House for the tarring of at least one of our roads so that it may be possible for Government officials and perhaps Ministers who visit that area, to travel conveniently. I am happy, however, Sir, that the Minorities Commission has vindicated our claim that our roads have been neglected and that in future this Government should be spending more per mile on the roads in the Midwest. Mr Chairman, I feel that more of our money should be spent on roads and not on investments in the National Bank. (*laughter*).

Question put and agreed to.

HEAD 703.—URBAN WATER SUPPLIES

Mr A. E. O. Isedeh: Mr Chairman, Sir, water supply in Agbor has been a long standing matter. For over four years now the construction of pipes has been pending and till the present day it has not been completed. The people in this area have to pay for water.

Chief Enahoro: Is the hon. Member saying that there is no water at all or that it is not sufficient?

Mr Isedeh: It is not widespread, and the pipes are not adequately constructed. Till the present moment, no one has got water from there.

Chief Enahoro: I myself have.

Mr Isedeh: But it has not been opened! The Government party must not try to play politics with this. For a distance of one to three miles, the people of this area have to drink brown pond water. But they have been clamouring for the extension of the pipes

[MR ISEDEH]

installed. Unfortunately the Ministry does not see to this need. We do not see any prospect of getting sufficient water, although we have to pay exorbitant rates. Men and women have to pay £1 10s a year, and yet no water has been provided. We have only twenty-nine pipes throughout the whole area. In fact, the people want the Government to remove these pipes. We rather prefer to drink water from streams and rivers than have this handful of pipes. We are not happy, because the Government wants to play politics with us since we are not an Action Group area. A small place like Ishan where you have a few thousand people, already has water—because a Minister comes from Ishan and he can give them water. Look at the geographical position of Agbor and Ishan; you will find that Agbor is in a very good place, like other fortunate areas; and yet it has no amenities. Everything is being given to Ishan. We want the Government to extend pipe lines to places like Umunede and other places where they are badly needed.

Chief Enahoro : I am happy that the hon. Member has agreed that it is not true to say that Agbor has not water supply while Ishan has. The second point is that Ishan contains about 198,000 people, while Agbor has less than 40,000. Ika is a small area in Asaba Division.

Question proposed that the sum of £99,501 for Head 703—Urban Water Supplies—stand part of the Schedule.

Question put and agreed to.

HEAD 705.—LOANS

Question proposed that the sum of £1,506,694 for head 705—Loans—stand part of the Schedule.

Mr Fadahunsi : Mr Chairman, I must say that I think that the fact that only one particular loan is referred to every now and again in this House, as affecting the Opposition, shows clearly that the loan policy of the Government is defective and partial. I feel that there are some young Ministers in this Region who are culturally bankrupt and who have not learnt at school what is called "courtesy". They take pleasure in ridiculing elderly men in the House when, in fact, they have nothing to do with them.

For instance, Obanla elect is usually mentioned by these young Ministers here when they mean to refer to me, whereas I have never at any time discussed anything about chieftaincy with anybody here or outside—not even in the Press. I therefore do not think that anybody has a right to

ridicule me by pointing to me as Obanla elect, jocularly in or any other way. Whether I am made a Chief or not, the position that I personally hold today does not appear to me to be inferior to that of any Minister.

The loan referred to, that is £5,000, was borrowed by a company in which I had interest long before the Action Group came into power; and the company, as I had often referred to it, was incorporated by the present Premier when he was a lawyer. He was employed to do it then. And this Company was a pioneer company, the first of those to become licensed buying agents in the country. The loan of £5,000 is for a warehouse at Apapa which cost the Company £8,000; it is being used till today by the Company and even by A.N.S.E., and when I say "A.N.S.E." Chief Akran knows what I mean. I was the Managing Director of the Company till the beginning of 1953, when the warehouse had long been completed, and since then the Company has been managed by an Action Group fanatic. I have nothing to do with the company today, but my money is there, and therefore I feel it is very irresponsible for anybody to refer to this in the way in which it has been referred to, and I still maintain that it shows that the Action Group's loan policy is defective and partial.

Question put and agreed to.

HEAD 706—OTHER

NON-RECURRENT EXPENDITURE

Question proposed That the sum of £199,859 for Head 706—Other Non-Recurrent Expenditure—stand part of the schedule.

Question put and agreed to.

Clauses 1, 2, 3, 4 and 5 agreed to.

PREAMBLE AND TITLE

Question proposed that the Preamble and Title stand part of the Bill.

Question put and agreed to.

Mr Speaker resumed the Chair.

Bill reported without amendments, read a Third time and passed.

ADJOURNMENT

Chief Enahoro : Mr Speaker, Sir, I beg to move that the House do now adjourn.

Alhadji Adegbenro : Sir, I beg to second.

Question proposed.

Question put and agreed to.

Adjourned accordingly at 1 p.m. until 10 a.m. tomorrow, Thursday, 4th September, 1958.

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ORAL ANSWERS

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WESTERN HOUSE OF ASSEMBLY

THURSDAY, 4TH SEPTEMBER, 1958

The House met at 10.00 a.m.

PRAYERS

(Mr Speaker in the Chair)

ORAL ANSWERS TO QUESTIONS

Total Revenue and Expenditure of all District Councils in Egba Division

32/58. Mr F. A. Oyalowo asked the Minister of Local Government to state the total revenue and expenditure of all the District Councils in Egba Division and to say whether he considered the revenue and expenditure of these councils justifiable to continue their existence separately, particularly Abeokuta Urban District Council, Egba Obafemi District Council and Egba Divisional Council.

The Minister of Local Government (Alhadji D. S. Adegbenro): The total estimated revenue and expenditure of each District Council in the Egba Division for the current financial year, excluding Imala District Council is—

District Council	Estimated Revenue	Estimated Expenditure
	£	£
Abeokuta Urban	109,774	102,578
Egba Odeda ...	60,027	45,409
Egba Obafemi ...	27,395	26,281
Egba Ikereku ...	7,259	6,357
Egba Ifo ...	60,745	56,648
Egba Owode ...	62,175	56,563
Otta ...	80,696	84,508

The relevant figures in respect of Imala District Council for the current financial year are not yet available but the estimated revenue and expenditure of the Council for 1957-58 was—

Revenue—£17,974;

Expenditure—£18,188.

These figures include Government grants and capital expenditure.

The Local Government organisation in Egba Division was introduced after exhaustive enquiry to ascertain the wishes of the electorate and the present councils were established to meet local needs and at the same time provide viable units of local government. Their separate existence is therefore fully justified on the grounds that they provide the form of local government which the electorate desire and therefore the

form most likely to succeed and that they are financially viable. This justification applies equally to the Abeokuta Urban District Council, the Egba-Obafemi District Council and the Egba Divisional Council which is responsible for services which it would be uneconomic or impracticable for the District Councils to perform.

The present organisation does not preclude the amalgamation of District Councils and any proposals to that end submitted by any of the councils concerned would receive sympathetic consideration by my Ministry.

Exclusion of Opposition Members from the Committees of Etsakor District Council

47/58. Mr A. K. Onwude asked the Minister of Local Government whether he was aware of the fact that Opposition Members and experienced Chiefs were excluded from important committees such as the Rate Assessment Committee, Finance Committee, Establishment and All-Purposes Committee of the Etsakor District Council, a situation which led to the failure of the Rate Assessment Committee of the old Etsakor District Council and asked further what the Minister intended to do to avert such a situation which might lead to financial irresponsibility.

Alhadji Adegbenro: Petitions have been received in my Ministry complaining that the Minority Party on the Etsakor District Council is inadequately represented on committees of the Council and the matter is now under consideration. Should the complaint be justified I will consider exercising my powers under section 48 of the Local Government Law to ensure that both political parties are represented on Committees of the Council in the same proportion as they are represented on the Council. The choice of members for such Committees is, however, a matter for the council to decide and I am unable to direct which persons should sit on those committees.

The Rate Assessment Committees to which the hon. Member also refers is not a Committee of the Council and the number of members of such committee, their method of appointment or selection, and their form of office is a matter for determination by the Council subject to the approval of the Local Government Adviser to whom powers under section 143 (3) of the Local Government Law have been delegated.

Integration of Ishan and Afenmai Divisions

48/58. Mr Onwude asked the Minister of Local Government to say whether he was aware of the anxiety among the people of Afenmai Division about the removal of the Divisional Office from Auchu to Ubiaja and also asked if the Minister would make a statement on the allegation that Ishan and Afenmai Divisions were completely integrated and that a Divisional Council would be established at Ubiaja then or in the future.

Alhadji Adegbenro: The question is in three parts. The answer to the first part is, No, Sir. The position was explained to a delegation including the hon. Member which visited the Ministry in July this year and as the delegation appeared to be well satisfied with the explanation given I had reason to hope that, if any misunderstanding had existed, the delegation on their return to Afenmai would have explained the position to the electorate. It is the policy of this Government to withdraw the Field Staff of the Ministry of Local Government from the Divisions as councils become competent to manage their own affairs without direct supervision, the duties, other than local government duties, performed by Divisional Advisers thereafter being entrusted to the councils or to other government officers.

In reply to the second part of the question I do not agree that the Press Release issued by my Ministry was misleading but I am aware that at least one newspaper published an account of the re-organisation which was both inaccurate and misleading.

In reply to the third part I can assure the hon. Member that the re-organisation of the Ministry of Local Government Field Staff will in no way affect the local government structure in the Region and in particular the councils in the Afenmai and Ishan Divisions.

Customary Courts in Afenmai Division

49/58. Mr Onwude asked the Minister of Justice to state when Customary Courts would be established in Afenmai Division and to say whether the establishment could be expedited in view of the fact that the Divisional Adviser had been withdrawn from Afenmai Division.

The Minister of Justice and Attorney-General (Chief F. R. A. Williams): The Customary Courts Law is expected to be applied to Afenmai Division on the 1st of October, 1958. As there is no connection whatsoever between the establishment of Customary Courts and the withdrawal of the

Divisional Adviser in Afenmai, and as 1st October, 1958 is so close, I do not consider that the second part of the question arises.

BUSINESS MOTIONS

The Minister of Home Affairs and Midwest Affairs (Chief A. Enahoro): Mr Speaker I beg to move the Motion standing in my name and to indicate, Sir, that after the two Motions on the Order Paper, and at the pleasure of the Speaker, there will be a short break, and then we re-assembled and continue till about 2.30 p.m. If we have not finished our business by 2.30 p.m. we shall come here later in the evening and remain till about 8.30 p.m. and conclude our business.

Chief Williams: I beg to second.

Question proposed.

Question put and agreed to.

Chief Enahoro: Mr Speaker I beg to move that at its rising this day the House will adjourn *sine die*.

Chief Williams: I beg to second.

Question proposed.

Question put and agreed to.

DISSOLUTION OF THE HOUSE

Chief F. Oputa-Otutu: Mr Speaker, I rise to move the Motion standing in my name. Mr Speaker, I should like to read the Motion, Sir.

"That this hon. House calls on the West Regional Government of the Federation of Nigeria to resign forthwith and seek a fresh mandate from the people before the next Constitutional Conference convenes as it has lost the confidence of the people of the Region by its unsatisfactory conduct of the last Local Government Elections".

Chief Williams: On a point of Order, I don't think it is proper for hon. Gentleman before you to stand up with a cap on his head. In our own case it is a part of our dress. (*Laughter*).....If this is permitted, Sir, somebody might come before you with a straw hat or bowler hat.

Mr Speaker: Perhaps the hon. Gentleman will have something to say about it.

Chief Oputa-Otutu: It is an oriental form of dress. (*Laughter*). (*Chief Otutu removed the cap*). The Motion is that this House calls on the West Regional Government of the Federation to seek a fresh mandate before the next constitutional conference as it has lost the confidence of the people of this Region by its unsatisfactory conduct of the last Local Government elections, in that it violated all the fundamental principles of

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democratic elections, and in particular, Sir, by fixing election dates to the disadvantages of some political parties not being the Government party; by its use of power of amending and amending instruments of certain councils, to inject therein certain traditional members owing allegiance to the Government Party in order to convert the Government Party minority in the said councils into a majority.

Mr Speaker, Sir, we have a Prime Minister of the Federation of Nigeria who is a Nigerian; we have the Premiers of the various Regions of the Federation who are also Nigerians. The Speaker of this House is a Nigerian and also a Westerner. Mr Speaker, the Chief Justice of the Federation is a Nigerian; we have an all African Executive Council presided over by an African, who is also a Nigerian and a Westerner. Mr Speaker Sir, these are achievements for which we should be proud.

And therefore, Sir, any attempt from any quarter to portray this country or the people of this country as being unable to govern themselves should be resisted, should be condemned as irresponsible. This is therefore the only reason why I have decided to bring this Motion before this House.

Mr Speaker, Sir, in the year 1956, the Ibadan District Council was dissolved. Mr Speaker, Sir, at that time Chief Rotimi Williams was the Minister of Justice and Local Government. Well, he is the only legislator who is a Member of two Houses, and yet has no constituency.

Mr Speaker: That is not correct. He does not belong to two Houses as a Member. He is a Member of the House of Chiefs only.

Chief Oputa-Otutu: I see. (*Interruptions*.....) Mr Speaker, Sir, at that time the Local Government Law was that the Minister had the power to appoint the date or dates for Local Government elections. This Minister brought an amendment Motion to this House and sought the permission of this House to approve that amendment so that elections in the Region could only be held on a date to be named by this Minister. Mr Speaker, Sir, this amendment was accepted, and with this amendment, Ibadan District Council, a provisional Council, was appointed in Ibadan and the Ibadan people were kept under the iron heel of this Provisional Council for twenty-eight months.

Mr Speaker, Sir, all the Local Government Councils in the Region were due for election in April this year, and have taken advantage of

that amendment, and have made use of it. That has proved no more useful. Another Minister came to this House and sought to amend the same laws, and this time he seeks the power to appoint a date or dates for elections in this Region. Again, he took advantage of this and, before the law could be passed in this House, had already appointed dates for the elections in various parts of the Region with the co-operation of the Nigerian Broadcasting Corporation of the Western Region which is dominated by the Action Group. Every minute of the day "so many Action Group members returned", "Action Group members unopposed" were reported about areas which the Action Group dominated. And the only reason is to demoralise the other NCNC supporters in the Region. Mr Speaker, Sir, before then, electoral officers were appointed Secretaries of Councils by the Electoral Commissioners. As I said before, ninety-nine per cent of these Secretaries are Action Group. If you are not Action Group you will certainly never be the Secretary of any Local District Council. That is why Secretaries of NCNC Councils have been kicked out. (*Interruptions*).

Mr Speaker, to go on, you will see in this particular case that with the co-operation of these so-called Electoral Officers, the Electoral Commissioner was being used as a tool. (*Interruptions*).....I shall speak of this later when the time comes. An extremely ugly person who was a tool of the Action Group... (*Interruption*).

Chief Enahoro: Mr Speaker, is it in order, Sir, to attack a public servant in this House? We are all hon. Gentlemen, and when an hon. Member of this House indulges in language of that sort about another Member, I think it is irrelevant.

Chief Oputa-Otutu: There is a reason for it. Now, Sir, as I said before, all Electoral Officers are appointed by this Commissioner, and these Electoral Officers who are Secretaries of these Councils helped in many ways to disqualify NCNC candidates. For instance, there is a case where an NCNC candidate was disqualified because he put down on a nomination paper, "NCNC". The Electoral Officer did not make any correction until the time had expired, and then said "NCNC" might mean "no cross, no crown". This fellow was disqualified.

Chief Williams: Where? Tell us where.

Chief Oputa-Otutu: We know the place. There are very many other cases of disqualification by Electoral Officers, about

[CHIEF OPUTA-OTUTU]

which I am sure many Members on this side would be able to tell the House.

Now, Sir, this is just the first stage. Dates. Advantage was taken of this new amendment to appoint a date or dates. So, authorised dates were appointed for elections in the Region and the Action Group began to make propaganda and with the co-operation of the Nigerian Broadcasting Corporation began to demoralise the other sections of the Region. And so in areas where there are NCNC supporters many people have been won over by the Action Group. All these areas are dominated by the Action Group.

Mr Speaker, again, Sir, the Minister indulged in a very low habit. When he was not quite sure of his Party winning the election or a majority of seats, he postponed the election in some areas. It was done in the Ijebu Division.

Mr Speaker: Will the hon. Gentleman understand clearly that he must not impute motives to the action of the Minister—improper motive in fact.

Chief Oputa-Otutu: Why I have an explanation; I do not understand you, Sir.

Mr Speaker: You said the Minister did something with a view to prejudicing the interests of certain people.

Chief Oputa-Otutu: That is exactly what I mean. I am trying to explain it, Sir. If I explain it, I think you will be satisfied. That is what I am trying to do. I said there was an instance in Ijebu-Ode Division, because it was understood that at that time, the Action Group Party had not succeeded in getting hold of the number of seats in the Council to form a majority, and the election was postponed in that area and no reason was given, according to the Nigerian Broadcasting Corporation; there was no reason why the election should have been postponed. And the election in Asaba Division, or Onitsha District Council—the date of the election was postponed in that area. Mr Speaker, Sir, I think this was a very base action.

Now, Sir, when all this have been done in an NCNC Council, and the Action Group has still not gained a majority in the Council, again the Minister comes back and says, Why should this Council remain NCNC?

Many people were invited from that area to Ibadan. And again, you find gazetted within 24 hours fictitious titles, and traditional members are then injected into these Councils. Again, Sir, it happened in my

own Division. After the election of the first Council the position of the Parties was NCNC 22, Action Group 9 and Independents 7—an overall majority of 6. 19 contested with the NCNC symbols and 3 signed pledges with the NCNC, so we did not put candidates here.

So we were 22 NCNC members; only 9 Action Group members won. Independents 7. So as a matter of fact the NCNC had an overall majority of six so that during the election of the Chairman which was to have taken place on 1st May, it was expected in many democratic quarters that an NCNC man would be returned as Chairman of that Council. What happened? The Action Group members of the Council came to Ibadan and collected £500 with which they were able to buy over about 3 candidates and brought the state of the party to 19 to 19. (*Interruption: Why didn't you tell the Police?*) The Police can do nothing.

Now Sir, again, that date an election was held and the result was 19 to 19. The Chairman proceeded with the election and suggested that lots be cast. I was elected Chairman and presided over the meeting of the Council. Immediately came a telegram from the Minister of Local Government acting illegally, stopping further meetings of the Council. (*Interruption*). The matter will soon come forward.

Mr Speaker, Sir, what happened? The Minister meanwhile proceeded to amend the Instruments of the Council by injecting traditional members (*Interruption*) (*An hon. Member: Can you give examples?*) There are other examples. I would like to make one or two comments. Now, Sir, I consider Chief Enahoro one of the most prominent legislators in this country (*Hear! hear!*) This young man, he plays his politics very well for the emancipation of this country. At one time, Sir, he made the prison compound a catering rest house! Members of this House all know that. (*Laughter*) And also I have in some little way been of great assistance to him in his difficult days. Perhaps he will remember I have some of his letters which he wrote to me, under certain circumstances, and also he received assistance (*interruptions*). All this Sir, I don't consider as anything, and in any case I would like you to realise, Sir, that I will never in this House attack him on anything, for in many ways he has been beneficial to the country. So I would suggest in his own interest that he should give me a loan. (*Laughter*).

Mr Speaker Sir, the Action Group must control all the District Councils at all cost, by hook or crook so they began to inject into

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the Councils traditional members—the so-called traditional members. These traditional members with their so-called traditional titles were injected into most of the Benin Councils and most of the District Councils in the Midwest State. (*Government Benches: Is the State already created?*) Mr Speaker Sir, then comes the scandal of ballot papers leaking. Mr Speaker Sir, in this connection I would like the Electoral Commissioner to come and tell this House why there should be such a leakage.

Chief Williams: To come to this House?

Chief Oputa-Otutu: Mr Speaker Sir, if such a thing happened in the United Kingdom the Prime Minister would stop that election immediately. Ballot papers were found in the persons of voters.

Chief Williams: An NCNC voter?

Chief Oputa-Otutu: An Action Group voter.

Chief Williams: Where, where?

Chief Oputa-Otutu: An Action Group member was arrested, taken to Court and the Magistrate refused any further action on this matter (*"Shame, shame" from the Government benches*). Mr Speaker Sir, this is a fact and I was very disappointed to find that a whole book for about 200 ballot papers can be found on any voter. What is the necessity of proceeding with such an election?

Mr Speaker: It may be that the Magistrate found that there was no case in the allegation. At any rate, the Judiciary cannot be attacked here.

Chief Oputa-Otutu: Mr Speaker Sir, during the Local Government Election into the Ibadan District Council, an NCNC supporter was subjected to all sorts of molestation and yet these men have the impudence to attack the Northern Government. In Ibadan here you talk about democracy. "Charity begins at home. If you cannot practise these things, for goodness' sake stop attacking others. It is only in the Western Region of Nigeria that supporters of political opponents are molested and murdered. Please therefore stop talking about democracy if things will continue like this. Mr Speaker Sir, I understand that the Police have investigated the matter and have made certain proposals but because of the new Constitution the Police cannot now initiate prosecution (*Shame! shame!*) Prosecutions have now to be initiated by the Director of Prosecution and that department is under the

control of the Attorney-General who is Chief F. R. A. Williams (*shame! shame!*) Mr Speaker Sir, I understand further that there are certain personalities connected with this particular issue and the Minister is using all pressure not to have this case prosecuted. Mr Speaker Sir, where are we? (*Government Benches: in Nigeria*) (*laughter*). Mr Speaker Sir, where are we? Have we still any further hope of NCNC supporters expressing their own views without molestation?

Chief Williams: What are you doing now, are you not expressing your views, and where is the molestation in it?

Chief Oputa-Otutu: I do not know what might be my fate tomorrow. Whatever happens.....

Government Benches: You will cross the carpet.

Chief Oputa-Otutu: In the next few days these men will be going to the United Kingdom to face that tall, handsome man—Lennox-Boyd—and ask for self government for Nigeria. We are now living under worse conditions than behind the Iron Curtain. If you belong to a political party other than the Action Group, if you do not change your views, if you fail to do all they do there, you must be killed, and yet you talk about democracy and say you will go the North to fight for it. You cannot eat your cake and have it. Now we come to these Customary Courts. I am happy that the Minorities Commission have considered these Courts irrelevant, that they should not be appointed any more.

Government Benches: Read it! Read it!!

Chief Oputa-Otutu: Mr Speaker, Sir, the Minorities Commission has condemned that policy.

Government Benches: What portion of the Report?

Chief Oputa-Otutu: You know, Sir, to read the whole of the report will take the whole of my time.

Government Benches: Read it, read it.

Mr Speaker: Order, order. This is absolutely irrelevant to the Motion. The Motion is that the people have lost confidence in the Government. Therefore Customary Courts have no connection with the Motion.

Chief Oputa-Otutu: I will prove to you Sir, that Customary Courts have some connection with the Motion. This is the case. The people go round to say "We are

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the Government, we appoint members of Customary Courts. If you help us to win this election certainly we will make you a member of the Customary Court". A hundred per cent of all members of the Customary Courts so far appointed are Action Group fanatics. The Minorities Commission has ruled that no more Customary Courts should be appointed.

Government Benches: Quote the portion of the Report.

Chief Oputa-Otutu: This is the report of an independent Commission.

Chief Williams: Ex-Council Chairman, will you tell us the circumstances under which you were removed as Chairman of your Council?

Chief Oputa-Otutu: Just listen, wait and I will tell you. I challenge the Minister of Local Government to dissolve the Ukuani District Council today and he will be surprised to find that not one single member of the Action Group will return to the Council.

Government Benches: Why were you removed from the Chairmanship of the Council? Tell us.

Chief Oputa-Otutu: I will tell you what happened. I was Chairman for three years and during the last local elections some of councillors were bought over.

Chief Williams: So NCNC councillors receive bribes?

Chief Oputa-Otutu: One NCNC councillor was taken to a place and locked up for five hours and given money to change his mind.

Chief Williams: Mr Speaker Sir, I hope the hon. Member will find witnesses to substantiate his statements, especially these instances he is quoting.

Chief Oputa-Otutu: Now Sir, yesterday I was saying that the sum of one million pounds was invested in a Bank. That money is now being used by the Action Group to fight the NCNC supporters in this Region and one of the Members on the Government Bench proceeded to defend the indefensible. This type of cleverness—Mr Speaker Sir, this type of cleverness—does not do us any credit.

Government Benches: Does not do you any credit.

Chief Oputa-Otutu: It does not do this Region any credit, Mr Speaker, Sir. I have been myself banking in Banks ten years

before a man like Adeyi knew anything about banking ("*Shame, shame!*" and laughter, from the Opposition Benches).

Mr Speaker: Ministers are referred to by their portfolios.

Chief Oputa-Otutu: I am sorry, Sir, the Minister of Trade and Industry. Mr Speaker Sir, the Federal Government is not concerned with these things. All it is concerned with is the legal side of it. Do we agree that we should give our money away? That is the question which concerns us. The money belongs to you and to me. Yesterday in this House you told us it is a Federal Government subject. That is pure cleverness. You have no right to take away our money and spend it as you like. You must return this money to this Region. You have no right to collect taxes from people, take their money and put it into a bank. You should not make investments; you can save it in the Bank.

Government Benches: What about the African Continental Bank?

Chief Oputa-Otutu: I don't care what bank you use. (*One hon. Member: Not even interest?*) It is not an investment if you get interest. Our Friends do not understand the meaning of the word "investment", you cannot invest our money, leave it for about five to seven years and keep quiet, and say that it is a Federal matter and that the Accountant-General is keeping a watchful eye. There is another investment again at Agbonmagbe Bank.

Chief Williams: On point of order, is all this relevant? I submit, Sir, that the hon. Member is deviating from his Motion. His Motion is—

"That this hon. House calls on the West Regional Government of the Federation of Nigeria to resign forthwith and seek a fresh mandate from the people before the next Constitutional Conference convenes as it has lost the confidence of the people of the Region by its unsatisfactory conduct of the last Local Government Elections!"

This has nothing specifically to do with the National Bank or the Agbonmagbe Bank, and I submit, Sir, that it is irrelevant.

Chief Oputa-Otutu: If you want me to answer that point..... I am saying, Sir, that the Action Group Government is using our money for these elections to fight NCNC supporters. That is the conduct of the Government. The point is irrelevant because it deals with the conduct of the Government. The truth Mr Speaker, Sir, is that, a sum of £25,000 has been invested in Agbonmagbe.

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Bank as fixed deposit, simply because it is a private bank, and I understand from the *Daily Service* that about £40,000 has been stolen from that Bank. I cannot say whether there is any penny out of the £25,000 remaining in that Bank. (*Interruptions*).

The Speaker : May I remind the hon. Gentleman that he has two more minutes to go.

Chief Oputa-Otutu : I think I have forty-five minutes. I started at half past ten or at a quarter past ten.

The Speaker : Look at the time.

Chief Oputa-Otutu : The Action Group members in this Region, do not pay tax. (*Laughter*).

Mr Speaker, Sir, summarising, I have made a number of points ; corruption and bribery during the elections, no action being taken in my constituency ; tampering with ballot papers which is one of the greatest havocs I have ever heard of in my life. In Great Britain that sort of thing can never happen, or the Prime Minister would stop further election and appoint a Commission to know how these papers got out of the Electoral Commissioner's Office. How can you do all these things and then say that the Election was fair and reasonable ? I think almost all the seats captured by the Action Group were due to the ballot papers, many thousands of which have gone out of the Electoral Commissioner's Office. I think the Electoral Commissioner should explain to this Region how these things have happened. If you go to him, he will not explain.

Mr Speaker, Sir, I also talked about the injection of traditional members. There are only a few councils won by the NCNC yet you want to inject traditional members in order to control these councils.

Mr Speaker, Sir, I also spoke of one man being stabbed, and I wonder what would be the fate of the NCNC in this Region. Six and a half million people have lost confidence in this Government as being able to conduct its affairs, and I challenge them to dissolve this House and see whether up to five members of the Government Party will survive.

Mr Speaker, Sir, I am happy, today, that the Minorities Commission has vindicated the stand of the NCNC so that in the near future, all elections, including local councils, will be considered by a Commission.

Mr E. O. Fakayode : Mr Speaker, Sir, I rise to support the Mover of this Motion.

Many Members from this side have given reasons to substantiate the fact that elections into the various local councils in this Region were not properly conducted. In many cases we found that every day these things are practised on a wide scale, and that the Law relating to Local Government were not complied with. Despite all these, the Government Party will not tell the world what they are doing in the Region, other than to boast that today you have 126 AG-controlled Councils and the NCNC has only two. The Government printed and published this book known as Sessional Paper No. 7 just to glory in the fact that they have many more councils than the Opposition Party, but this is not very true, because any achievement must be based on fairness and justice. Therefore, I wish to point out about six or eight points in which we feel the Government has been unfair in the manner in which they have conducted the Local Government Elections in the Region.

Mr Speaker, Sir, the first case is one of impersonation. Truly, provisions are made in the Local Government Law for impersonation. Anybody who infringes the Law is liable to punishment. Before the last local government elections I have always kept an open mind about the allegation that the Action Group are practising fraud at elections, but I had a practical experience at the Olorunda Arun Ward where I was one of the polling agents for a candidate of the NCNC at Idi Igba and the other neighbouring villages. I had to go round to see what was happening and when I got to Idi Igba, I found that specially printed Action Group cards were being presented by simple country women. When these women came forward to vote, I told the Presiding Officer that it was improper for any voter to hold a card which portrays the political leaning of that voter. The presiding officer, of course, in compliance with the Law, said that my objection would be over-ruled, that he would allow people to vote even though they held party cards, but he agreed with me that where a voter is suspected of impersonation, certain particulars would be asked of that voter, e.g., his name and address. I agreed with him. The first woman came forward holding an AG privately printed card and her name was demanded. She gave her true name as Alice Abike whereas the name on the card she bore was Rachael Adunola. Then the presiding officer asked her again what was her station and her address and she gave it as Idi Igba while the address on the card was Olorunda Village. Then, the presiding officer, of course, recorded all

[MR FAKAYODE]

these discrepancies in the record book and the woman went off. We treated twenty cases like that on that day, because I remained in the place up till 12 o'clock. If I had not been a Barrister-at-Law and an hon. Member of this House, I would not have had the experience and also the influence to do what I did. What would have happened in other polling stations in similar circumstances would have been that the presiding officers would allow those women to carry on the impersonation without their being detected because the names on the cards agreed with the names in the Voters List and these twenty women would have voted for the Action Group undetected. We do not take these cases to Court because we have defeated the Action Group in such a grand and wonderful fashion that we do not bother (*Laughter!*) nineteen out of fifty-three!! The second reason is that we believe that in every Government there must be opposition, so that there is no need to drive the Action Group members out of the Council, even though the Action Group members have got into the Ibadan District Council by fraud. You will never find any of our cases in Court—we believe in democratic government.

Mr Speaker, Sir, another reason why we feel the conduct of the Government was not proper during the last elections was the use of party cards by Action Group members.

The reason why we object was that it defeats the very essence of secret voting. These people, men and women hold their yellow cards and they don't hold them secretly, so that everybody knows for what party they are going to vote. It defeats the very essence of secret voting. The Law is that voting should be secret. Wherein lies the secrecy when a man has definitely held out his card and comes out and then people know that this is an Action Group member. This should stop. If the Region knows that it cannot have an independent electoral officer as recommended by the Commission for Minorities, then it should appoint electoral officers rightaway from the Federal Territory. (*"Ah! ah!!" from Government Benches*).

The third reason why we object is because of the unsatisfactory conduct of the last local government elections. As has been said by the Mover of this Motion, in a ward, one Mr Asani who was a presiding officer slept in the bush before the day of the election and an Action Group member who was also a candidate, fortunately a barrister-at-law, slept also in the bush on the same day.

When we heard this, what we did was that we asked hon. Salami Lalere to be in charge of Olojuoro ward.

Government Benches : Did he sleep in the bush as well?

Mr Fakayode : He did not sleep in the bush. He was not in the conspiracy. In the morning, when the presiding officer came, there was also another villager who was a polling agent who said to the two of them, "you can't start your duty unless we search you". The presiding officer said, "No", "I will not allow myself to be searched". He was the governor of the station and therefore above being searched. Of course hon. Salami would not yield. There was good reason to search the presiding officer who had control of the ballot papers and the boxes also. And he was searched and to his disgrace a number of ballot papers well over one hundred were found on him.

Opposition Members : Shame! shame!!

Mr Fakayode : The Action Group candidate of course, became shy of the situation because he knew now that we had caught him. He said that he had not asked anybody to keep ballot papers for him. Mr Speaker Sir, that election was made a matter for bye-election. When the matter went to the Police, all we heard one day was that the Government would not proceed with the prosecution.

Opposition Members : Shame! shame. That was very serious.

Mr Fakayode : Mr Speaker, Sir, with your permission, under section 96 (1) (f) of the Electoral Regulations, every person who without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for the purpose of the election shall be guilty of an offence. The Law is so clear. When well over one hundred papers are found in possession of somebody, that is an unlawful interference with ballot papers. These are some of the reasons why Government is feeling shy to prosecute its own members. We begin to fear whether there is justice at all.

Chief Williams : If any person will swear to an affidavit setting out the fact, I shall investigate.

Opposition Members : Investigation alone will not do.

Chief Williams : Prosecution either of the offender or of the person who made the false statement.

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Opposition Members : Shame ! shame !

Mr Fakayode : Mr Speaker, Sir, here we are. The Attorney-General feels very reluctant to pronounce the word "prosecution".

Chief Williams : The question of prosecution is the responsibility of the Director of Public Prosecution. I cannot even undertake to say that there will be prosecution if I do not know the facts.

Mr Fakayode : The tactics of the Government to occupy part of my time in defending themselves will not be tolerated, Sir. Now, M Speaker, Sir, furthermore what we found at Olojuoro as I said, were some boys and girls who were below the age of voting coming to the polling station. When I asked the presiding officer whether they came to vote, he said that I should be patient until they got to where I was. Mr Speaker, if a person is not vigilant these children would vote and the presiding officer would just connive at the situation.

Then there is the most serious case which occurred at Oshogbo during the election. A former Member of our party, Chief Kolawole Balogun, came with his allegation. He asked me to accompany him to the Electoral Officer.

Chief Enahoro : How can we know that it is true ? Is it because Mr Balogun has left your party ?

Mr Fakayode : We are not accusing Chief Balogun. The objection is about the conduct of the last election which was not proper. Chief Balogun came to me and I accompanied him to the office of the Electoral Commissioner. I was his legal adviser.

Chief Enahoro : Here is a Federal Minister who requires the assistance of an ordinary Member of this House to accompany him to the Electoral Commissioner.

Mr Fakayode : When we got to the Electoral Commissioner, the facts were that 25 NCNC candidates were to contest election to Oshogbo District Council and a day before the election 15 out of these candidates had their papers declared invalid on the ground that their nominators had withdrawn their nomination. Mr Speaker, Sir, the fact behind the withdrawal of the nomination was that Action Group members in the night intimidated these nominators by threatening either they would be gaoled for one thing or the other or that they would be prosecuted or would not have certain amenities, and then the nominators withdrew. That happened a day before the election.

Mr Speaker Sir, under section 37 of the Law, there is no provision that where a nominator withdraws his nomination, the candidate's nomination shall be declared invalid. We argued this with the Electoral Commissioner and he said that so long as the Electoral Officers had so declared, he would do no other thing than to comply. Then I asked him whether he had instructed the electoral officers in the various districts as to the position of declaring nomination papers valid or invalid and then of course he would not answer one way or the other. But we clearly found out that it was an abuse of the powers vested in the electoral officers in favour of the Action Group, by which NCNC nominations can be declared invalid on account of the withdrawal of the nominators. There is no provision for that in the Law and the result was that Action Group candidates in Oshogbo were returned unopposed just because the nominators of the NCNC candidates had withdrawn their nominations.

Another aspect of the conduct was this sudden device of injecting traditional members into councils. Where the Government party feels that they are being defeated by their opponent or are about to be defeated, they quickly resort to appointing or ejecting traditional chiefs into the Council. Well, this is a very serious case, Mr Speaker, Sir. I shall not quote the old cases. The most recent is the case of the Onigbogi who has just been appointed as the Ogboni of Ilesha.

Chief Enahoro : How is it relevant ?

Mr Fakayode : Mr Speaker, Sir, this Onigbogi was recommended solely by the Owa. All the kingmakers were not in support of the recommendation and, Mr Speaker, Sir, everybody is quite aware of the provisions of the Chiefs Law on this matter, that certain things have to be done before a man is recommended by the head chief to the Governor as a chief.

Chief Enahoro : What is the relevancy of that to this Motion ? The Onigbogi of Ijesha Land was appointed about two or three days ago. The Local General Elections were held several months ago, and you are trying to link Onigbogi's appointment with the Local Government Councils elections.

Mr Fakayode : The impatience of the Minister of Home Affairs will definitely make him not to see reason. If you exercise a bit of patience you will be able to see whether or not Onigbogi's appointment is relevant to this matter or not.

Chief Enahoro : On point of order, Sir, the hon. Member has not been called upon to speak by the Speaker. Unless Mr Speaker asks an hon. Member so to do, he has no liberty to speak.

Mr Fakayode : Mr Speaker has asked me to speak.

Mr Speaker : Will the hon. Member take note of the point raised by the hon. Minister of Home Affairs and Midwest Affairs, and also that he has only three minutes more to go.

Mr Fakayode : Mr Speaker, Sir, during the last local elections this man the Onigbogi was promised this office. He was promised that if he was able to campaign vigorously for the Action Group, he would surely be given this office.

Chief Williams : On point of information—who promised him?

Mr Fakayode : Now the man has been appointed because he is a die-hard supporter of the Action Group.

Mr Speaker : Will the hon. Member forget about Onigbogi of Ijesha Land?

Mr Fakayode : A further point, Mr Speaker, Sir, is this. Ever since the matter of elections came to be handled by this Government we have always condemned the idea of prohibiting the presence of the Police at the polling stations. We of the NCNC are opposed to the absence of the Police who keep law and order, at polling stations. Why the Government is adamant about this question is because they know full well that the people that will infringe or break election rules are their supporters, so they are afraid that many of their supporters will be taken to law courts and prosecuted. One thing we are sure of is that if the Government wants a fair and free election they should allow the Police to be present at the polling stations on election days. We of the NCNC want to go to the polling stations with clean hearts and clean minds. We do not want to hide ballot papers in our pockets, or to get ballot boxes filled up with ballot papers before polling begins. This Government does not want clean and fair elections so, that is why they do not want the police at the polling stations.

Lastly, Mr Speaker, Sir, as already pointed out, a man was stabbed to death in Ibadan during the last local election; for what reason we do not know. He was stabbed at Oniyarin. Here with me is a subpoena to appear as a witness at the inquest on this

man. This man was stabbed; unfortunately he was an Ijesha man. He was stabbed by Action Groupers. We brought this matter to the notice of the Police, and the Commissioner told us that he was taking it up first with the Government here and then with the Federal Government. Why this inquest now? There is no need for an inquest.

Chief Enahoro : If you let me have that paper with you, I can assure you that before the House rises this morning the Commissioner will be instructed to fly to Ibadan from wherever he may be.

Mr Fakayode : I will not give this paper to you. It is not your property.

Mr Speaker : The hon. Member's time is up.

Mr Speaker : The Motion has not been seconded.

Mr Fakayode : I seconded it at the beginning of my speech.

Question proposed.

Mr H. O. Ozeke : Mr Speaker, Sir, I rise to speak in support of this Motion calling on this House to be dissolved. Mr Speaker, Sir, I have not got evidence to state, but I have facts, though they are few.

I have facts surrounding local affairs which make the various communities comprising this House not like this Government to continue. The first aspect, Sir—with your permission, Mr Speaker, Sir, I would like to make a few remarks about our feelings about this Government in regard to African Internationalism. (*Ironic cheers from all sides of the House*).

About the local affairs of this Government I have this to say. This Government has failed to realise that the various communities, or in other words, ethnic groups, composing this Region have different condition and different traditions. It has become apparent by living evidence Sir, that the Yoruba Cabinet of this Government have designed all things they do in this Region in a Yoruba fashion, forgetting that other component parts of this Region do demand their existence alike—that they should be treated equally with the Yoruba people. It is in the tradition of the Ijaw men as well as in that of the Yoruba people to have one single king at the head of their people. But we are a socially democratic people; we believe in the common rights of other people.

Another aspect is that this Regional Government has established laws which give opportunities to incite others to become

money minded and make it locally. But do tradition is?

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money minded. They create ordinary chiefs and make them traditional chiefs automatically. But do they know what the meaning of tradition is?

Government Benches: Tell us, we want to know.

Mr Ozeke: In this case, Sir, it is quite apparent that the Government of this country, and in particular, this Region, is trying to tamper with the traditions of the other people in any manner they like in order to suit the majority interest of those who are in the Cabinet.

Mr Speaker, Sir, we the minorities, wherever we may be, in our association with this Government, without force disagree with the action of this Government and therefore, call upon the Regional Government to resign.

Mr Speaker, Sir, my hon. Friends in the Government are saying that the Action Group is ruling the Western Region. I would like to tell you that that is one of the reasons why we do not want the Government to continue. We want a Government to have a clear cut mind and be sincere enough to carry on their own affairs in a justifiable way, in such a sense that there will be honour given to them. I can assure you, Sir, if there is any election in the future the NCNC is sure to win in the West. (*Cheers from the Opposition Benches*). This is because the electorate is too large to be bribed. Our councillors in the District Councils and Local Councils were given bribes. They were bought over. They were deceived. Their nomination fees were paid. There was no ample time for us the Opposition to prepare to contest the elections. Things were made very impossible for us, and our supporters suffered victimisation.

Mr Speaker, Sir, these are very serious matters that I am bringing before this hon. House. I always base my argument on living facts. In any democratic country where we have respect for democracy it is believed that the Government should understand the grievances of the people concerned. For a long time there has been a political disagreement between the various Ijaws now forced to be under Warri Division. Protests, demonstrations and very many delegations of Ijaw people have met the Minister concerned and demanded that an enquiry should be made, because they have no common dealings with Itsekiri people. If this Government is really holding on to their words that the Government is building Local Government on a solid

foundation why cannot they settle political disagreement between groups of people? Therefore my people are no more willing to accept this Government as an able Government.

Mr Speaker, Sir, very many local matters have been talked upon by my people and, with your permission, Sir, I would like to say a few words on this Government's international matters. I will not accept my father's command to commit murder in a case where I will be hanged or held responsible. This Government should stand on the foundation that will lead us into a prosperous future. I am saying this—of course, I think it is also the wish of many intellectuals of this country—that after our common yearning for independence there will be one united force of the Africans to protect the African Independent countries. On this point, while I was in Ghana I heard about a series of disagreement between our Premier and the Prime Minister of Ghana, and no Action Group Member was present at Kumasi at the invitation of the Prime Minister of Ghana.

We have read from the speeches made by the Minister of Home Affairs and Midwest Affairs that the Prime Minister of Ghana was interfering with the Government of Nigeria. One thing I would like to say, Sir, is that the Action Group Government is the only government among the Governments of the Federation which is such a die hard that it has no sympathy for the African struggle for a united front. That is the international aspect of it, Sir. We should live in a prosperous future. Why should we as members of one Nigeria refuse to take part in the activities of the Prime Minister of Ghana in respect of a united African force.

I have this forecast, though I am not a prophet. It is clearly understood from living evidence that all the Governments of this Federation are interested in the unity of Africa as a whole in order to save themselves from what I may call suffering brought by alien people.

Mr Speaker: I am afraid I have to warn the hon. Gentleman that the matter is becoming too international.

Mr Ozeke: Mr Speaker, Sir, the Local Government structure in this country will stand as mere caricature and that is why I am asking that this House should be dissolved. The most important thing is that this House must dissolve. In summarising, Sir, I say that the Western Region Government has abused the principles of democracy and as a result my people are demanding seriously

that the Government should seek fresh mandate from the people as it has lost the confidence of the people of this Region.

Mr J. M. Ariworiyai : Mr Speaker, Sir, when we call on the Government to resign it is left for those of us calling on the Government to resign to convince the audience either at length or in brief that these are the facts. Mr Speaker, Sir, when the Government is found guilty of a crime or an offence it is always the Cabinet that is responsible for it. What confidence should there be in a Government whose Ministers will say one thing today and another tomorrow! (*Opposition: Shame! Shame!!*). I am not at the moment prepared to discuss international affairs, but I feel I will say something about one of the most important Ministers; he is important because he is responsible for the administration of justice. (*Interruption*).....Mr Speaker, Sir, this is living evidence, and I am sure Mr Speaker might have heard the statement made by the Minister of Justice and Attorney-General of this Region while he was in the United Kingdom. (*Interruption*).

I support the idea that Western and Eastern Ijaw should be united. That is on record. When the Minority Commission Report was published officially, Federal and Regional members of the Action Group started to make comments that it was bad for the Commissioners to constitute it into a special and privileged area. What the Commissioners did was that they probed into facts and figures and came to the conclusion that if the revenue derived from the Ijaw territory was sufficient to pay all the Federal Ministers, the Governor-General and even the Prime Minister for even five years, and the money derived from this area was spent in developing other areas (*interruptions from Government Benches*).....

Mr Speaker: The hon. Gentleman has deviated a great deal from the point. This is a matter in which the Government has been accused of unsatisfactory conduct during the last local government elections. It has nothing to do with the Minority Report. I hope the hon. Gentleman will stick to that point.

Mr Ariworiyai : I agree, Sir. Now, Sir, when we talk about local government elections, I did not even participate in these so-called local government elections, but I saw things for myself.....(*interruptions*). Mr Speaker, Sir, the Action Group Government during the last local government elections committed certain offences. Mr Speaker, Sir, if you detailed investigation experts to go

into some of these offences as far as the Western Ijaw local government elections are concerned you would see that even nomination papers were altered; reports were lodged with the Police in Warri, but so many things happened. It is only a pity, Sir, that you are confined to Ibadan and so you cannot see what is going on in other areas (*laughter*)..... Nomination papers were altered to suit the selfish ends of some people and to entice certain elements.....I am saying categorically and emphatically on the floor of this House that if this Government still has the confidence of the electorate it should resign and seek a fresh mandate.

Chief N. B. Lebi: Mr Speaker, Sir, I oppose this Motion on the grounds that it is illogical, injudicious, unbalanced and disastrous. It may well be that since the mover of this Motion has lost his seat as Chairman of Aboh Council, he has also lost confidence in himself (*laughter, laughter*). The mover of this Motion has portrayed himself to the people of this Region as the enemy of progress. What right has a man who lost the confidence of his Council to ask for the dissolution of a most progressive Government? The result of the last local government election clearly demonstrates the confidence of the people of this Region in our Government.

Mr Speaker, Sir, you will permit me at this stage to advise opposition Members who come into this House that they owe it a sacred obligation on their part to discharge their duties faithfully to the electorate of this Region. We on this side of the House are conscientious men and we don't play politics with the destiny of this Region. I have listened to many poor debates from the other side calculated merely to parade their erudition. Some of them indulge in grandiose superabundance of polysyllabic words and some delight in hearing themselves speak. By bringing this Motion into this House, the mover has wounded our pride on this side. We have come into this House to promote the progress, peace and prosperity of our people and that is what this Government has been doing. All the forces of the NCNC in the Federation combined cannot dissolve this House. Borrow more power from the universe, this House will not be dissolved. We shall sit tight as we have the mandate of the electorate to administer unto the people of this Region for five years. We shall continue to discharge our duties in all sincerity, in all reverence, and with strict impartiality.

Mr Speaker, Sir, I beg to oppose.

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Mr V. I. Amadasun : Mr Speaker, Sir, have to thank you for giving me an opportunity to say something very gravely about this important Motion. What the mover said is that this hon. House calls on the Western Region Government of the Federation of Nigeria to resign forthwith and seek a fresh mandate from the people before the next Constitutional Conference is convened as it has lost the confidence of the people of this Region by its injustice and conduct during the last local government elections. I want every legislator of this House, Sir, to underline the expression "unsatisfactory conduct". Well, Mr Speaker, Sir, I know that many able speakers in this House have narrated and dilated on those irregularities which make it necessary that the Action Group Government of the Western Region should resign, but for the purpose of reiteration, I think that..... (interruptions).

Mr E. A. Idowu : Mr Speaker, Sir, Standing Order No. 3 (2) says that a Member may speak only from the seat allocated to him, provided that Mr Speaker may change the location from time to time and Standing Order No. 27 (9) says that a Member desiring to speak shall rise in his place and if called upon shall address his observations to Mr Speaker or Chairman. The Member for Benin is not in his seat at the moment, and I think it will be proper, Mr Speaker, to ask him to speak from his seat. (Shouts of "Go back, go back" from Government Benches).

Mr Amadasun : This privilege has been given me on many occasions. Unfortunately, Mr Speaker, Sir, if I remained in my seat I could not be heard.

(Shouts of "Go back, go back" from Government Benches).

Mr Speaker : The Standing Orders are quite clear, will the hon. Member please retire to his seat?

Mr Amadasun : Thank you, Sir. (Mr Amadasun then went to his proper place).

In the last local government elections the conduct of the Government of the Western Region was very unsatisfactory. I knew that conditions in relation to local elections in the West would be unsatisfactory when in March this year the Minister of Local Government announced that the Local Government elections which previously were meant to be held at the same time all over the Region were now to be held at different times and places. As a result of this, elections were held in the twenty-four divisions of the West at different times.

This state of affairs has made it possible for many election irregularities to be associated with the last local Government Elections in the West. These irregularities were due to the following : A member for Ibadan has mentioned the fact that during the last local government elections there were no policemen at the Polling Stations. I want the Government of this Region to tell me for what purpose the Police exist in a State.

Government Benches : To maintain law and order.

Mr Amadasun : One of the irregularities practised by the Action Group Government is the appointment of Secretaries and Secretary-Treasurers as Electoral Officers. After all, we are all human beings, and we know how we go about our livelihood. In terms of the Regional Law, Secretaries and Secretary-Treasurers are not at all in control of Local Government Councils. They are under the control of the Action Group Government. The result was that during the last local government elections, when they were made Electoral Officers, many of the candidates of the NCNC were disqualified simply because they did not affix their thumb impressions in a certain way—either vertically or horizontally—or because there was a stain of ink at the back of the nomination paper. If the Divisional Officers or, shall I say expatriates, had been made Electoral Officers it would have been impossible for the supporters of the Action Group to go to polling stations with ballot papers or to terrify many of the people and get them disqualified.

If you read through the report of the Electoral Commissioner on the Western Region Local Government Elections, 1958—Sessional Paper No. 7 of 1958, paragraph 7—you will see that it is written clearly as follows :

"All Electoral Officers and Assistant Electoral Officers, Returning Officers and Assistant Returning Officers were appointed Electoral Officers under delegated powers, and these appointments published in the Regional Gazette. In the majority of cases....."

(I want hon. Members to underline this phrase).

....."these are.....Secretaries or Treasurers of Local Government Councils concerned."

Government Benches : What is wrong with that?

Mr Amadasun : I want to show that they are all servants of the Action Group Government and that they could easily disqualify other candidates.

[MR AMADASUN]

Another result of this irregularity is that, according to the Electoral Commissioner himself, many of the Secretaries and Secretary/Treasurers who disqualified NCNC candidates were not well educated, have no experience, and could not interpret the Electoral Regulations. Because of the presence of these irregularities, tribalism was at its worst. Also many Action Group Members had the opportunity of tampering with ballot boxes and putting into them fictitious ballot papers. In consequence of this, there were many fights and disturbances at the polling stations during the last elections. Law and order was at its worst during the last local government elections. The report of the Electoral Commissioner alleging that only eight cases were known of interruptions to polling on account of violence is wrong and misleading. In my own Division there were many violent attacks among political parties, owing principally to the absence of the Police.

Polling in the Western Region elections were held in twenty-four Divisions for 5,111 electoral seats. These seats were contested by 7,586 candidates, out of whom 2,564 were returned unopposed. What I want to emphasise here is the number of candidates returned unopposed in the Region. 2,564. There is no place in the world where you can get 2,564 candidates to be returned unopposed. And incidentally, Mr Speaker, Sir, 99 per cent of the people returned are Action Group candidates. How were these Action Group candidates returned unopposed?

Government Benches : Confidence.

Mr Amadasun : What I understand the position to be is this. In an area or ward Mr "B" would stand as a candidate of the NCNC and then, if there is no other candidate to contest on any other political platform, then he is recognised as returned unopposed. How in the last elections were 2,564 people returned unopposed? Even the Electoral Commissioner himself made mention of this. With your permission, Sir, I shall read. Paragraph 15, section 30—

".....the 2,564 wards, in each of them one candidate was validly nominated and declared to have been elected unopposed and the number of votes....." and so on.

Sir, I am telling you that out of this number not more than 100 of the candidates supposed to be returned opposed were candidates of the NCNC. Electoral Officers drawn from local councils are more or less Action Group agents.

If the elections had been free and fair, the Action Group could not, out of 156 councils in the Région have captured so many seats.

Another aspect of past elections which renders the conduct of the Regional Government questionable is the injection of traditional chiefs into councils, principally in Benin. This is contrary to section 7 of the Local Government Law, 1957, made by the Minister of Local Government, but which he does not want to follow, the reason for which I do not know. It reads in part—

"7. (1) Subject to the provisions of this section, the Governor in Council may, by further Instrument, amend the Instrument establishing any council with respect to any matter for which provision may be made by Instrument under this Law.

(3) Before making an amendment in any of the respects specified in sub-section (2) of this section the Governor in Council shall—

(a) cause to be published in the area concerned not less than thirty clear days' notice of his intention to exercise his powers under this section ;"

In the Iyekovbia area and others, for example, there was no notice published of any intention of the Council to inject anybody!

"(b) give an opportunity to the council concerned to make representations to him in writing ;"

No opportunity was given to any of the Councils!

"(c) and cause such inquiries to be made as he may seem desirable for the purpose of ascertaining the wishes of the inhabitants of the area concerned."

Nothing like that was done; instead 31 so-called traditional members are to be injected by the Minister of Local Government into the Councils purposely to be able to capture the Benin Divisional Council. This injection is contrary to section 7 of the Local Government Law, 1957, and to section 4 of the Chiefs Law, 1957, which I shall not bother to read.

What I want to point out from this section is that it is not the Oba of Benin who has power to appoint chiefs but the people themselves. The Minister of Local Government has to tell this House where those injected members were appointed; he has also to show whether they were appointed by the Prescribed Authority. All this is against the Chiefs Law. The Law says that the people should appoint the minor chiefs and that the Prescribed Authority should approve of the appointment.

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[MR AMADASUN]

Mr Speaker, Sir, a lot has been said about slave dealing in politics in this Region. By this I mean that, up to this very moment that I am standing in this House, elections, which were first held on the 17th of May, are still going on in Benin. By that I mean that in all the Councils we had about 32 candidates who were successful, but by the following day about 7 of them had been bribed out with about £200 each. (*Shame! Shame!!*). And these irregularities arise from the injection of traditional chiefs, minor traditional chiefs, chiefs who do not enjoy the people's consent and who have no votes from the areas concerned.

Mr Speaker, Sir, I am very sorry for the Premier because he is not responsible for all these things. That is why I am very sorry. Apart from the Premier this House should be dissolved in accordance with the words of this Motion.

Mr Speaker, I beg to support the Motion.

Mr H. Uwaifo : I want to reply to the points made by my Friend from Benin Central about the injection of Chiefs into local councils. I want to say that the Chiefs were not appointed only a few months ago, they were existing chiefs in that district.

Mr Enahoro : Mr Speaker, Sir, the true voice from Benin ! (*laughter*).

Mr Uwaifo : We have district chiefs in Benin. There is a place in Benin called Udo, almost all the titles that exist in Benin City are there. The Local Government Law lays it down that the councils must comprise elected members and traditional members, and for that reason the Oba found it necessary that these people should fill the vacancies and they were accordingly asked to do so. The only trouble with my NCNC Friends is this. I was with them then. They had wanted certain members of the public to be elected to fill the traditional seats whether they were the right people or not. I know I shall be very unpopular with them in Benin for saying this. If those whom they wanted had been appointed by the Oba my NCNC Friends would have been very happy even though they were not the right men to be appointed. The Oba would not mind whether you are his son or brother but if you are the next man for the position he will give it to you. When my Friend, the Member for Benin Central, was the Chairman of the Benin Divisional Council the NCNC put forward certain people for the seats. It turned out that

these people did not succeed. I say that the Oba acted very rightly and I therefore oppose the Motion.

Mr P. A. Afolabi : Mr Speaker, Sir, I rise to support the Motion ably moved by my hon. Colleague. Doubtless the Western Region Government by its devious ways and methods has proved itself incapable of ruling a peace-loving people and a democratic state.

The equality of the individual and the inviolability of his several rights are premises to the establishment of justice and the securing of the blessings of liberty. Also essential to the attainment of these objectives is the supremacy of the Law. No individual or group, regardless of wealth, power, or circumstance, may defy it. And no person, for any reason, may be denied its protection. But what is our daily experience in this Region during elections? It is the utter disregard of the laws made and passed by the Government itself. Electoral laws are totally ignored and flouted in order to secure advantage over rival political parties. It has been experienced that the Organising Secretary of the Action Group party went about overnight persuading candidates and nominators who had been duly and properly registered before the Electoral Officer to withdraw their nominations. If the law is good for the gander it should also be good for the goose. The Action Group prides itself on winning so many candidates by fraud. The ignorant electorate.....

Government Benches : Do you say the electorate is ignorant and you expect them to vote for you?

Mr Afolabi : Mr Speaker, Sir, I do not want these Action Group chorus boys to interrupt me when I am speaking.

The last election was a scandal of the highest order in a democratic self-governing country. The aim was to entrench themselves perpetually in power. Every form of jerrymannder, fraud, impersonation, chicanery and cunning have been practised by the Government Party which has called upon the electorate to come forward and elect representatives of their choice. And it is the same Government that places obstacles in the way of free and fair elections by adopting foul means, encouraging thefts, deceit, bribery and downright dishonesty, distributing ballot papers *ad infinitum* here and there among its supporters, with the assistance of partisan election staff and officials from the Action Group, cleverly schooled in the practice of election frauds. That is why it is

[MR AFOLABI]

a disgrace that the Action Group has won and is controlling many councils today.

It is laid down and it was observed in other places that nomination papers must be submitted by the candidates accompanied by their nominators. In other places where the nomination papers were returned without the nominators the candidates of the Action Group were returned unopposed. In this particular instance all the Action Group candidates in that area had their nomination papers returned by one person, and that was the hon. Member for that area, and what happened? He happened to be an Action Group member and the nomination papers were accepted and passed and although the NCNC Organising Secretary protested and got the clerk to certify his objection, these candidates of the Action Group were allowed to contest and nothing more has been heard about it.

For the purpose of being able to control the councils Government excluded the police from polling stations. It is true to say, Mr Speaker, Sir, that since 1952 the people of this Region have not got the Government they wanted. The last election was conducted by the Action Group Government mainly with a view to controlling all the councils in this Region.

Mr Speaker, Sir, we are now on the threshold of independence. In fact we are approaching it today faster than ever before and what guarantees have we got from the Western Region Government of Nigeria that this independence is going to be a blessing from all angles judging from the ideology and performances of the party now in power in this Region? There is nothing that shows promise of happiness, peace, equity, justice, fairplay and sympathy for the common man.

All along the history of the Action Group Government has been a catalogue of oppression and victimisation of anyone who does not accept its ideology or belief or who dares to express contrary opinion or views on Government methods or actions. Chiefs are found here and there, particularly in my own Division, in the past five years who, because of their beliefs—because they would not sacrifice their consciences for money or for position under the Action Group—have suffered withdrawal of their court fees and so forth. I can mention the case of Eleruba(Interruptions) and the Ekarun.....(Interruptions) I can still cite many more others.

They will not grant loans to anyone who does not believe in or belong to their party. He

must be deprived of every opportunity to earn his living whether in the Government service, mercantile establishments or his own private enterprise. In the administration of the Region, anybody who is not an Action Group member cannot be considered for holding his rightful traditional office, however good his qualifications and entitlement may be.

Chief Williams: On point of order, I think the honourable Member is deviating from the Motion. He is not saying anything about the conduct of the last election. All he is saying is about the closing of the door to NCNC supporters.

Opposition Members: It has a lot to do with the Motion (Interruptions).

Mr Afolabi: Mr Speaker Sir, the Minister of Justice is afraid to hear about his practices.

Chief Williams: You are wasting the time.

Mr Afolabi: Under a Government such as this, can any honest person clamour for complete independence when one remembers the way in which the limited powers so far granted by the British Government are being used by these tyrants. Says President Eisenhower: (Interruptions)—

"Society can expect no contribution to world order from a Government controlled by atheistic despots."

Yes, what good can one expect from a Government that knows not God, a Government that is sunk deep in tribal hatred, inconsistency, lying, uncharitableness and many other abominations.

It is true independence is the birthright of every man and woman but if living in abject slavery would confer universal principles of justice, equity and fairplay better than living under independence devoid of these principles then one would prefer the former.

It is the legal right of the voters to choose a panel of candidates as their representative government. To these elected officials, and indirectly to administrators appointed by elected officials, they delegate certain authority. The manifestation of this power is the election itself. Anyone who seeks re-election cannot forget that he must give an account of his stewardship when he faces the electorates. The day of political judgement has dawned on the Action Group Government of the West, and I associate myself with the mover of this Motion that the Action Group should wind up and dissolve the House and give way to a more democratic Government for this Region.

The voters' register is a bundle of many contradictions, inconsistencies and inaccuracies. The register is supposed to have been

[MR AFOLABI] properly conducted for the omission and duly and proper registration. females are in "f" for men result that men their votes with the party which tion and public is none other

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Opposition on.

Mr Afolabi consider the magnitude exhibited by this particular to any other Government baggage arrangement.

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[MR AFOLABI]

properly compiled but is actually notorious for the omission of many names of voters duly and properly registered during the registration period. Names of males and females are indicated wrongly in the Register, "f" for men and "m" for females, with the result that many voters were turned away and their votes wasted. It is worthy of note that the party which is responsible for the compilation and publication of the register of voters is none other than the Amalgamated Press.

Alhadji S. O. Gbadamosi: On point of Order. There is an action pending in Court by the Amalgamated Press against a certain press for making a similar allegation. I don't think it is in order to make reference to the Amalgamated Press.

Mr Speaker: Order, order. If such a matter is *sub judice* it will not be allowed to be debated here.

Mr Afolabi: This situation, Sir, is found in wards dominated by NCNC supporters—NCNC strongholds.

Chief Williams: On point of information. The hon. Member was talking of the NCNC. Is it the reformed NCNC or the other NCNC? (*Laughter*).

Mr Afolabi: When the hon. Minister of Justice can tell me his constituency he can ask me that. (*Opposition Members: Fire on*).

During the last local election it was my experience to find one Polling Officer and as many as 4 or 5 assistants, some of whom did nothing but copy the names of voters for impersonation by Action Group supporters. The case was referred to the Electoral Commissioner who declared that he was helpless in the matter.

Government Benches: Where did you find that?

Opposition Members: Don't mind, fire on.

Mr Afolabi: Mr Speaker, when you consider the number of atrocities and the magnitude of the apprehension already exhibited by the speakers in this House on this particular election, one could not come to any other conclusion than to ask the Government of the day to pack bag and baggage and give room for a better Government.

Sitting suspended.

Sitting resumed.

Alhadji Gbadamosi: Mr Speaker, Sir, if the performance of the Mover of the Motion during the course of his speech this morning is taken as a criterion to assess the genuineness of his allegation against the Government of this Region, we should dismiss the Motion for lack of substance.

In the course of his speech, the hon. Mover made a statement to the effect that the Minorities Commission recommended that the customary courts in the Region should be abolished. He was challenged by hon. Members on this side of the House to show page and verse where such a recommendation is embodied in the Report. He looked through the Report and could find nothing of the sort in it. That is the nature of his other wild, frivolous and irresponsible allegations against the Government of this Region. The Minorities Commission did not make recommendations for the abolition of customary courts.

It is indeed a great pity, Sir, that the seconder of the Motion is a lawyer by profession. It is a greater pity that he expects a layman like myself to teach him what to do when people violate the laws of the country. In order to defend the rights and privileges of the people, he holds out himself as a political leader ready to serve; he should have reported the irregularities which he alleges to the Police for action. Further still, he could have followed the example of his colleague by swearing to an affidavit. But he did nothing of the sort. How he expects the hon. Members of this House to take him seriously I cannot understand.

Elections are free, fair and orderly only in Divisions or constituencies where the NCNC candidates won. That is what the hon. Member who moved and seconded this Motion wants us to believe.

The NCNC in my own constituency believing that the Court would be as irresponsible as they are (*interruptions*) filed actions against two Action Group Councillors. Frivolous, wild and irresponsible allegations were made but when they were called upon to prove them they failed woefully and the petitions were dismissed with £210 costs. (*Shouts of "shame! shame! shame!" from Government Benches*). Rather than help their members to pay this amount they came to this hon. House to bore us with equally wild, frivolous and irresponsible allegations.

Mr Speaker, Sir, I oppose the Motion.

Mr D. Atolagbe: Mr Speaker Sir, I oppose this Motion. I oppose it because it is frivolous and ill-timed. If ever there was a

[MR ATOLAGBE]

time when the Action Group Government enjoyed the confidence of the people of this our Region, it is now. Mr Speaker Sir, the very last local government election which the mover has cited.....

Opposition Members : Sit down, don't read.

Mr Atolagbe : The Action Group enjoys the fullest support of the vast majority of the people of this Region. The election was conducted under universal adult suffrage and people voted according to their convictions. The result was that the Action Group won 126 out of a total number of 148(*Opposition Members: By fraud*)..... leaving only 22 to the NCNC. This approximately is about 90 per cent of the number of councils, won by the Action Group. This shows, Mr Speaker Sir, that if we should go to the polls today for a general election, according to this figure, it shows that the NCNC will have less than 10 people.....

Opposition Members : Let us go to the polls.

Mr Atolagbe : Mr Speaker Sir, the question of irregularity ought not to come to this House at all since there are remedies provided for the irregularities. The NCNC should have resorted to the remedies if they knew that they had sound cases. The reason why they have not done so is simply because their cases are unfounded.

Mr Fakayode : Read on. You have been given time to read.

Mr Atolagbe : Complaints of irregularities are brought here because they know they can say anything here. (*Opposition Members: Read louder*). Mr Speaker Sir, the NCNC have troubles undoubtedly. I sympathise with the party. But they cannot heal the troubles by laying blame on the Action Group. The proper thing for them to do is to examine themselves. If they do so, they may be able to survive.....(*Interruptions*).

Opposition Members : Shame! shame! you should either sit down or read louder.

Mr Atolagbe : Mr Speaker Sir, I beg to oppose the Motion.

Mr F. H. Utomi : I rise, Mr Speaker Sir, to support this Motion with particular reference to Asaba in Asaba Division. Mr Speaker Sir, it is very unfortunate.....

Government Benches : That you lost the election?

Mr Utomi :.....That in speaking about the activities of our Regional Government, one is tempted to say something on the judiciary. In the first place, in Asaba, our Western Regional Government has definitely refused to honour tradition. They were able to inject in a republican area a number of traditional members. Asaba is a republican town having no idea of certain titles known in areas like Benin, Ogwashi-Uku, etc. The titles in Asaba, if you will allow me to say, bring the Government to ridicule. I will give you an example where you have an Onohen. Onohen is a title which is given to Ogene. But just for the chance of getting more members in the Council to overpower the NCNC they were able to inject what we call "lovable" titles. Again, as I said before in talking about the activities of the Action Group Government in the West, one is tempted to challenge the whole Region as being a Region which is mentally enslaved. In other words, people are not complaining because they fear victimisation, because they fear they will suffer. Well, in Asaba town, as I said here, I think in June on the eve of the election, they started giving loans.

Government Benches : But you were not given loans.

Mr Utomi : As I said before, talking about the activities of our Government, one is tempted again to have them allied with our judges and magistrates.....

Mr Speaker : This House will not interfere with the conduct of the judge; unless you come by way of a substantive Motion.

Mr Utomi : There is no doubt that the Action Group Government pays lip service to democracy. In other words it is no democracy as we see it operating in other places in the country.....(*interruptions*).

Government Benches : Sit down! sit down!

Mr Utomi : Mr Speaker Sir, I beg to(*interruptions*).

Mr A. A. Adalemo : Mr Speaker Sir, I rise to oppose this irritating Motion because it is baseless. In May 1956, the people of this Region mandated our party to carry on its good government for the next five years and again quite recently elections were conducted into local councils in which the Action Group party came on top. Mr Speaker Sir, if any political party fails to win election through its weak organisation, does it follow that another must fail? I say, No. (*Several hon. Members: No! no!*) The

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[MR ADALEMO]

motive behind this Motion is understandable, and it is an old wound inflicted over two years ago. Had the Mover of this Motion approached me I would have advised him to cross over and appeal to the Premier to create a Ministry for him, to be known as the Ministry of Jealousy. Mr Speaker, Sir, we on this side will throw out this Motion because it is frivolous and crazy.

Mr A. O. Adesokan : Mr Speaker, Sir, in view of the fact that Members of the Government reply to the accusations of the Opposition, I have no substantial reasons to give.

Several hon. Members : Definitely.

Mr Adesokan : Maybe it is because most people who are speaking are ordinary Members of the floor who know nothing about the elections. The Leader of the House and the Minister of Local Government and some other Ministers who know quite well that the accusations were correct did not speak, perhaps because they were not prepared to answer to all the allegations one by one. That is why the weak back benchers have replied to the accusations.

Chief Enahoro : If the hon. Member is not in a hurry, I intend to reply.

Mr Adesokan : Mr Speaker Sir, I am not in a hurry and I expect to hear more from the intelligent Minister.

Mr Speaker, Sir, there are some Boards where the ex-Ministers are made Chairmen ; I make particular reference to Akinloye, Ogunjo and Ighodaro. These people are ex-Ministers and though they lost their seats during the last election this Government has made them what they are today, because many of them have no other means of livelihood. Mr Speaker, Sir, these people have been rejected by their people, but now they are being remunerated by being made Chairmen of Boards, I see no reason why this should be done if we are prepared to run this Government in a correct way.

Mr A. O. Adedeji : On point of order, Sir, No. 34. You have a Motion here on this paper, I wonder why you should mention Chairmen of Boards.

Mr Speaker : The point of Order is proper, and I think the hon. Member from Ibadan will comply.

Mr Adesokan : Mr Speaker, Sir, I am trying to explain the inducements this Government is trying to pay out unjustifiably. Mr Speaker, Sir, everybody is aware of the

fraudulent way in which the Government has won elections in this Region. But we know for certain that within a short time, that is, after the Constitutional Conference we shall be the Government in this Region.

Mr Speaker, Sir, I think I am in order if I tell the Government how our money is leaking out. Most of the funds of Government are given out to the Production Board and some other Statutory Corporations ; but this money is being used to contest elections. Mr Speaker, Sir, many things are done by this Government, and I think my colleagues on this side of the House have said a lot about the misdeeds of this Government. There is no reason for them not to be ashamed. They ought to be ashamed and resign forthwith.

The whole electorate in this Region have lost confidence in the Government. I challenge them to resign now, and I am sure that only a few of them will come over to the Opposition side while a host of them will not come into the House again. Some of you have no means of livelihood other than being Members of this House, but I am sure that in the forthcoming Constitutional Conference all these bad avenues will be closed.

Mr Speaker, Sir, I am a bit surprised that people who have spoken on the Government side are ordinary floor Members who do not know anything at all about the activities of the Government ; they are mere back benchers. So I do not attach any importance to whatever they have said. I expect more intelligent Ministers to answer to these charges and give reasons why this House should not be dissolved forthwith.

Chief Enahoro : If you are patient you will get full answers.

Mr Adesokan : Mr Speaker, Sir, I beg to support the Motion.

Mr C. A. Williams : Mr Speaker, Sir, I rise to oppose the Motion poorly moved by the hon. Member for Aboh Division. It is a pity, Mr Speaker, that many hon. Members who spoke on this Motion, including the mover of the Motion, have poor knowledge of the Local Government Electoral Regulations.

As it is, Mr Speaker, every Party, including the Party in power has to comply with the laws governing Local Government Elections ; and Mr Speaker, Sir, no Minister or any Member of this honourable House has any power to exercise during any local Government Elections, for the law is no respecter of any person.

[MR WILLIAMS]

The present case is just like that of a school boy who goes on playing all the time and when he fails to pass his promotion test shifts the blame on to his teacher.

Opposition Benches : What is the ideology ?

Mr Williams : Recent events Mr Speaker, Sir, are sufficient to discourage members of the public from supporting or sympathising with the NCNC whose rank and file are in complete disagreement. It must be understood that the masses watch with close attention the deliberations of each party and it does not take any time for them to decide which party they should support.

Mr Speaker, Sir, the floor of this House is not where Members should come to vent their personal grievances which arose out of their own fault.

It is a pity that the privilege offered to Local Councils for members to attend short courses in Local Government was not properly taken by Members of the Opposition many of whom are serving in Local Government Councils. If they had, they would not come to argue in this poor manner as they have been doing today. The Law is there, and when any one breaks the law he should be rounded up.

Mr Speaker, Sir, this Motion is malicious, and therefore it should not be supported.

Mr P. V. Okwesa : Mr Speaker, Sir, I rise to support this Motion ably moved by my hon. Colleague, Chief Oputa-Otutu.

Government Benches : He is not a Chief.

Mr Okwesa : He is a recognised one.

The Motion calls on the Regional Government to resign forthwith and seek a fresh mandate through the medium of a free, fair and democratic election, and see if they will come back to power. If they agree with this Motion and this House is dissolved, it is pretty sure that they are going to form the Opposition in the next House.

Government Benches : You resign and see whether you will come in again.

Mr Okwesa : Mr Speaker, Sir, I support this Motion wholeheartedly because as the nearest neighbour of the mover of the Motion I am in a position to appreciate the facts embodied in the Motion ; and what are the facts embodied in the Motion ? The facts are that the Government has been proved to be very undemocratic. The people of this

Region have lost confidence in the Government because of the fraudulent way in which this Government rules the Region. Mr Speaker, Sir, according to what my hon. Colleagues on this side of the House have said previously, this Government has been proved to be unable to go on ruling this Region. This has been proved very conclusively and beyond any doubt, but I wonder if the Government knows what democracy really is.

Opposition Benches : They do not know. Tell them.

Mr Okwesa : If they do not know, and I agree they do not, I am going to refresh the minds of my hon. Friends opposite with your permission, Mr Speaker. Democracy has been described as the Government of the people, for the people, and by the people. Mr Speaker, Sir, I want Government to take note of these three prepositions. First, the Government must be of the people ; that is self-explanatory and does not need any elaboration from me. Secondly, the Government must be for the people ; that is it must be run for the benefit of the people in the area over which the Government exercises its authority. Thirdly, the Government must be by the people. It must be run by the people themselves or by the people's accredited representatives. By accredited representatives I mean representatives chosen in accordance with the accepted democratic principles known all over the civilised world. But is that how this Government came to power ?

Opposition Benches : No, no.

Mr Okwesa : The answer is a resounding No. This Government came into power by fraudulent methods. We all know their methods. One way was bad allocation of seats ; that is, allocation of seats not based on population figures.

Mr Speaker : Order, order. Will the hon. gentleman confine himself to the last Local Government elections, and stop making reference to the elections to the Western House of Assembly.

Mr Okwesa : Mr Speaker, Sir, I shall listen to your advise and confine my debate to the last Local Elections. But I am saying, Sir, and I am emphasising, that the Government won the last Local Government elections through fraud.

Mr Speaker, Sir, I have tasted of the bitter pills of the Government's election fraud.

Government Benches : You lost your deposit ?

Mr Okwesa : I was even. But I know. Mr Speaker, this buying into this I have never were bought power offered them I offered more won election over to their be able to get only method.

Then the Natural Ruler. Natural Ruler what privilege they do not vote for the Rulers will people about amenities for the Act the displeasure people take necessary to jujus. democracy election by we heard who belong support the public funds use money against us

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Mr Okwesa : tell you I was on The Motion actually And during and 4th Action C came back independ members

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Mr Okwesa : I did not lose my deposit. I was even returned unopposed in my area. But I know how my other colleagues suffered. Mr Speaker, Sir, this buying system, this buying policy has been introduced into this country by the Action Group. I have never heard of where candidates were bought, where the Government in power offered money to the electorate to influence them in their choice of candidates, or offered money to the candidates who have won elections on other platforms to switch over to their own party in order that they may be able to gain power. But these are not the only methods pursued by the Action Group.

Then there is the question of intimidation. Natural Rulers have been intimidated. Natural Rulers have been made to realise what privileges and rights they will lose if they do not make the people in their domain vote for the Action Group. The Natural Rulers will in turn issue threats to their people about what they will lose by way of amenities and privileges if they do not vote for the Action Group. In order not to incur the displeasure of the Government these people take what they consider to be the necessary steps and make their people swear to jujus. People resorting to jujus—is that democracy? Can we call a Party that won election by juju a democratic Party? Then we heard of loans being given to only people who belong to Action Group Party or who support them. This money comes from public funds, yet the Action Group would use money that belongs to us to campaign against us.

Chief Williams : It belongs to the Region and not to any Party.

Mr Okwesa : Mr Speaker, Sir, I will tell you what happened in Aboh Division. I was on the spot when the thing happened. The Mover of this Motion with his party actually won the election for Aboh West. And during the period between 19th April and 4th May, the whole thing was changed. Action Group Party men ran to Ibadan, came back to the Division and bought the independent candidates as well as the NCNC members. That is a shame.

Opposition Benches : Shame ! shame !

Mr Okwesa : There was another one which happened about which I will tell the House. Mr Speaker, Sir, a candidate who won the election on the platform of the NCNC was carried by me in my car to an NCNC Party meeting the night before the election of the Chairman. As we were there an Action Group member came, dipped his hand into his pocket and waved a currency

note at this man, telling him to come and get it. I held my man tight and told him to sit down, but later on this man told me he was going downstairs to drink water and then went down and I saw him no more. The next thing I heard about him was that he had held a meeting with the Action Group. I am in a position to know all these things because I mingle with some of them. What happened in the morning of 1st of July, the day on which the second election of the Chairman took place in Aboh West? The Groupers took one NCNC Councillor and kept him in a house at Obiaruku and gave him plenty of food and drink and kept him there till the election of the chairman was over. That was how the Action Group won their election. Are you prepared to tell me that this method is democratic? Is it not a sufficient reason to ask the Action Group Government of the Western Region to fold up and pack and go? I am here to emphasise because I feel, like others on this side of the House, that it is time to point out and to check this undemocratic method of the Action Group. Mr Speaker, Sir, I beg to support.

Mr S. A. Oyaniyun : Mr Speaker, Sir, I beg to oppose the Motion. I would like to state, Sir, that the Action Group Party has been running the various elections in the most satisfactory way. (*Cheers from the Government Benches*). Only the NCNC Party will never admit their defeat. They always shed tears wherever they fail. Speaking about the candidates who were returned unopposed, I do not see anything bad in it. To me it shows the popularity of that Party. Now the hon. Member for Ibadan West said something about the nomination papers of the NCNC candidate at Oshogbo. The statement he made was not correct. I was on the spot and I know better than he about it. This is what happened. Their field secretary was so fraudulent that he would put the name of a person on the nomination paper and ask another man to make his thumb impression on it.

Now finally, Sir, I know the Members of the NCNC cannot succeed in their fraudulent ways. They want the Electoral Officer to declare their candidate as having succeeded in the election even though he failed.

Mr Speaker, Sir, I oppose.

Mr A. Adisa : I rise to support the Motion. I notice that since the debate on the Motion started there has not been any serious argument advanced from the other side of the House. Mr Speaker, Sir, it does not take a thousand years to know the pattern of

conduct of some people. I will say this, Sir, that this is an opportunity for these people to resign.

Sitting suspended.

Sitting resumed.

Mr Adisa: Mr Speaker, Sir, I will continue my speech in support of the Motion asking the Government to resign. I wish to say that the gravamen of the case for the Opposition lies in the threat of the Premier of the Western Region Government that he would make things too difficult for the NCNC to win in any local government elections.

Government Benches: It was before the Lagos Town Council election, he did not say so after the election.

Mr Adisa: Let him deny it, let him deny it. That is the gravamen, that the most responsible agent, the first citizen of the Western Region said he would make it so difficult for his opponents to win elections. I say shame on him. What happens is that he has misused his powers both legal and moral.

Chief Enahoro: On point of order, Sir, it is improper to say that the Premier used his powers improperly. The hon. Member should withdraw his statement.

Mr Speaker: Since the Premier spoke as Premier he cannot be acting improperly. Will the hon. Member please withdraw his statement?

Mr Adisa: I withdraw. I emphasise, all of you have got to consider what was the state of the Parties before the last local government elections and consider presently what the result was. You have now 126 Action Group-controlled Councils and 22 NCNC-controlled Councils. That means that the Action Group actually doubled or or tripled their normal expectation. Mr Speaker, Sir, they actually bridged their majority 300 per cent. What was wrong, with that, Sir, is that nobody could have contested if that result had not been preceded by a threat, and we say that the pattern of events subsequent to the threat confirms all that the Members of the Opposition have been trying to say this afternoon and have continued to say this evening. Now, Sir, I have never known hon. Members across the carpet to be so logical in any of their actions, but I will say this, Sir, that if the matter is well and properly considered there is no reason at all why they should not support this Motion.

It is in their best interest that this Motion should succeed. If all the Members across the carpet are sure of their popularity, there is no reason why they should not support this Motion. It is even in their own best interests that they should come here and ask for a five-year renewal of their life. The truth of the allegation made by the Opposition is a matter of common knowledge. If one were to expose the iniquitous activities indulged in by the Government party during the last local elections and ask people what their opinions are, there is bound to be a unanimous verdict: their conduct was most unsatisfactory. Therefore, Sir, upon this basis, it is a duty on the part of hon. Members on the Government Benches to come here and support this Motion.

I must say this, Sir, that it is no point at all to put the question of the paucity of election petitions as being a good ground for saying that the elections have been properly conducted. It is no point at all, and I must say that, while that is no test of fairness of the conduct of the elections, it is patent that there are so many difficulties in the way of persons who feel aggrieved at the way in which the local elections have been conducted. There are, in fact, so many difficulties in the way of their going to report. This is a point which I would like to emphasise. It is a point which should, in the interest of justice, attract the attention of the hon. the Attorney-General. No very useful purpose is served if the procedure for seeking remedies through the law is not adequate. In other words, if the conditions which are given for invoking legal redress are so difficult for the people who would otherwise have taken advantage of its provisions, then it becomes absolutely void of utility.

Chief Williams: Is the hon. Member referring to the penalty for perjury?

Mr Adisa: I am saying, Sir, that.....
(Interruptions). What we are saying on this side of the House is that the paucity of election petitions is not an argument in favour of the conduct of the elections. The fact that election petitions have been so few lies in the fact that the money which the ordinary man has to pay is excessive, and I know this because he will have to pay about £50 excluding what he has to pay to the lawyer. It must not be forgotten that you have to pay a deposit of £50 in order to contest the election. Again it must be remembered that the remedy sought must be invoked within thirty-six days after the elections, and it is so difficult to uncover the enormous extent to which the artful dodgers and nincompoops of the Action Group have

[MR ADISA] sought to d been comp Members understood Group Par fraudulent that this is them to tes fresh manda

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sought to do so many things which we have been complaining about. Now that the Members on this side have known and understood all the tricks of the Action Group Party, its unfair conduct, and its fraudulent way of winning elections, we say that this is the proper and right moment for them to test their popularity and demand a fresh mandate.

I shall give a good example to confirm and emphasise that the Members of the Opposition know all the tricks and fraudulent practices which made a minority win what belongs to the majority, and the most typical example which nobody here can contradict is the recent local election in Ibadan and the subsequent bye-election in Ibadan South. The stand of Ibadan has been a sort of headache not only to the lower members of the Action Group but to the higher ranks in the party as well. Everything has been done so that they can capture Ibadan but, unfortunately, they have always failed; and I say that if one takes that classic example it is enough for us to say that this charge which has been levelled against the Government has been well sustained.

In the last local elections the Action Group won only 19 seats as compared with 52 seats won by the NCNC. There was subsequently an election in Ibadan South, where we won 4 seats. After discovering the fraudulent manipulations of the Action Group, we brought heavy pressure to bear on them, and the result was that they were able to win in only one ward, and with just 21 majority votes. This confirms our point that all these elections which have been won by the Action Group have been won fraudulently, and this is the time for them to rectify matters. Hon. Members are supposed to be always honourable in their conduct, and so when we appeal to the good sense of hon. Members on the other side, we hope they will do nothing but co-operate with whatever has been said.

Some hon. Members on the Government Bench : No matter how false?

Mr Adisa : The trouble with the Members across the carpet is that they want to be both the Judge and the Prosecutor in every case. This morning we heard a statement by the Government that it is really not their responsibility to conduct elections, and the fact that they said that.....

Government Benches : Who said that?

Mr Adisa : If my impression is wrong the duty of the Government Bench is simply to correct that impression.

Government Benches : But who said that?

Mr Adisa : If that is not the true position, the best way would be for the Government to come forward and say "no". If it is agreed that it is the responsibility of the Government to conduct the last elections, then I say that that responsibility has not been fairly and adequately discharged.

Again, there is no reason why there should be any objection on the part of the Action Group Government at the Resumed Constitutional Conference to the creation of a Commission to conduct Federal and Regional elections. Further, Sir, there is no reason why the Action Group Government should not make it also its primary objective to ensure legally the conduct of fair elections in the Western Region. The Action Group have the responsibility to ask their followers to eschew fraudulence and unfairness during the next elections.

The most important point of all, and a fact to which there should be no argument at all, is that during the last bye-election a person lost his life. Nobody in this House condones murder and anybody who does so is unfit, not only to be a Member of this House, but even to live. It is not a matter for argument when the Members of the Opposition say that on 26th June, 1958, a person was stabbed in broad daylight, and, instead of a prosecution being instituted, it was only a Coroner's inquest that followed. And the point that is being made is that although there have been such instances of murder, no inquest has preceded the commencement of prosecution. That has been the case so ably put by the Opposition, and it is a point which I know the Attorney-General will consider in his sober moments.

There is, furthermore, the case of persons who have impersonated others and who have been found guilty of carrying ballot papers. The most objectionable point is that there has been a withdrawal of prosecutions. This is a point which has been most disturbing—disturbing not only to hon. Members but also to practising barristers.

The most important point is that whenever new points are raised, the hon. Attorney-General will not be patient to hear what we have to say. The best course is to be silent in meditation, and, of course, fully determined to see that justice should be done. His portfolio is the Ministry of Justice and he

[MR ADISA]

should therefore do justice. This really is a very nice evening and everything that has been said has been said with sense of responsibility.

Another point that arises is, why is it that there has been a departure from the democratic practice of holding all local council elections on the same day? Why was this practice departed from? And the second point is, why was it that the first elections that were to be held were those in which the Action Group knew it would surely win? That, Mr Speaker, gave room for impersonation because used ballot papers in previous elections could be used in places where fresh elections were to be held. That has been the case and there has not been any reason why the Government should at all encourage and ordain staggered elections in the Western Region.

Mr Speaker : May I remind the hon. Gentleman that he has two minutes more.

Chief Enahoro : And may I also point out that when the Speaker addresses a Member, that Member should resume his seat.

Mr G. T. Oviasu : We are being treated to many strange understandings of the Standing Orders. We do understand that when the Speaker rules or gets up from his seat the Member should sit down; but when the Speaker talks from his chair it is not necessary for the Member to sit down.

Chief Enahoro : I fully sympathise with the hon. Member and I do say that when the Speaker addresses a Member, whether he is on his chair or he gets up, the Member must sit down.

Mr Adisa : In conclusion, there have been cases of hired and paid hooligans riding Action Group jeeps and going to intimidate voters, and that is a very grave indictment of the Government's conduct of the last local government elections. Mr Speaker, I will say that what should be done this evening is that each Member should be allowed to vote according to his own conscience. Of course, there are so many people on the other side who have no conscience. If that is permitted we know that hon. Members across the carpet will vote solidly for this Motion.

Mr R. A. Olusa : Mr Speaker, Sir, I rise to oppose this Motion. Even the Opposition have set themselves to oppose it by withdrawing gradually from the House this evening. I agree entirely with those who term the Motion as being irresponsible. It must have emanated from a puerile and immature mind. All the arguments which

have been adduced by the various speakers cannot hold water. This Motion is nothing but a sign of utter frustration and despondency.

What are the arguments? The Action Group conducted election in areas where they were sure of succeeding and the Nigerian Broadcasting Corporation announced results to demoralise NCNC Members, therefore the NCNC must be defeated even where they were strong. I say, again, Sir, that this argument holds no water. The NCNC should not have won any election anywhere in the Region. The Mover had the effrontery to attack the officers of local government councils on the floor of this House where the people cannot reply. These men are officials who have the commonsense to do their official duties without any fear or favour, and yet you come here and call them members of the Action Group because the NCNC has failed in the elections. I wish those who have made these allegations would come out and repeat them in public. I, as a member of the Association of Divisional and District Councils employers of these people will challenge the Mover to repeat it and we shall sue him.

Mr Speaker the question I would like to ask the hon. Mover and his supporters is, are the officials in the places where the NCNC won elections NCNC supporters? Let us stop attacking those who cannot defend themselves here.

Now I come to this nauseating repetition about the injection of chiefs into these councils and also the buying over of NCNC men. Where is the human market where NCNC men are displayed for sale? Who are the auctioneers? Why is it that it is only NCNC members who are marketable. Something must be wrong with them for one to be able to convert them to wares and sell them. A Member of the Opposition has given the price as one hundred and fifty pounds. If people are sold like that I am very sorry for the NCNC for before long your party will be liquidated. I tell you Sir, we on this side of the House are priceless. You cannot buy us.

I want you to know that we shall always win elections. The mover and the supporters have referred to infringement of local government regulations which enabled the Action Group to win these elections. This is to show that they of the NCNC are so law-abiding that they dare not attempt to expose any law breaker. Yet some of them are lawyers and perhaps would-be magistrates. What are the arguments for asking the

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Government to resign? Because the people have lost confidence in the Government? I want to show you that your grounds are baseless. I thought when this Motion was moved the Mover and his supporters would give concrete reasons. But what have they done? They have not been able to cite any instance. There is ample evidence to show that the people have confidence in the Action Group Government of today and that it grows stronger everyday. I shall quote a few examples. Since the election many members of the Local Government Councils both on the side of the NCNC and the Independents, have declared for the Action Group, and yet you say they have no confidence in the Government. If they had no confidence what would they have done? If you want any sign of confidence the very declaration of this people for the Action Group is a sign of confidence.

Since the last elections very many Local Government Councils have passed votes of confidence in the Government and yet you come here to tell us they have lost confidence in the Government. The Councils are the voices of the electorates.

Only two days ago, on the floor of this House, we had two people crossing from the sinking boat of the NCNC to this side of the House (*Opposition Members: Shame on them*). Why have they come? It is because their people oppose their remaining in that sinking ship. One of these people comes from the Yoruba part of the Western Region and the other man from the Midwest—the two parts that comprise the Western Region. What other sign do you want to show that the people have confidence in the Government?

Mr Speaker Sir, I want to tell my Friends on the other side of the House that they have failed woefully to move anybody on this side to agree with them in their Motion and that there is every possible sign to show that the people of this Region have full confidence in the Government by their various motions of confidence and by their actions in asking their people to leave the NCNC and come to the Action Group side of the House. If there is need for any sign of confidence this is sufficient to show that the people have full confidence in the Government and that the Government is not going to resign but will remain.

Mr Speaker Sir, I beg to oppose the Motion.

The Minister of Health and Social Welfare (Mr J.O. Adigun): Mr Speaker, Sir, Members of the Opposition have since this morning been repeating once again the tears which they shed during and immediately

after the recent local Government elections. At that time NCNC leaders blamed their stars for having no money to buy either voters or elected councillors as they would have wished to. They also argued that the electoral regulations were faulty.

But NCNC men were then instantly called to reason. They were called to the path of sanity by no other capable authority than the Editor of the *West African Pilot*. The Editor then felt a spade should be called a spade. (*Applause from Government Members*).

He felt the NCNC should re-examine itself and mend its ways if it could ever think of winning any future elections. Mr Speaker Sir, you will agree with me that the *Pilot*, as the mouthpiece of the NCNC, should be respected when it expresses a definite, unequivocal opinion on the fast dying party called the NCNC.

With your permission, Mr Speaker, I would like to reply to the allegations of my Friends from the Opposition by refreshing their memories about that fitting reply given by the Editor of the *West African Pilot* to the lame excuses of NCNC leaders on the failure of their party during the last Local Government elections. The *Pilot* said (*Interruptions*).

Mr Speaker: Order. I am afraid I shall have to enforce Standing Order 29 (4) which says that during a sitting all Members shall be silent or shall confer only in undertones. Will Members take note of that.

Mr Adigun: The *Pilot* said, Sir, that the NCNC was defeated not because the Action Group bribed the electorate; not because any fraudulent practices were indulged in; not because the Police were not at the polling station; not even because the Action Group ever dictated to the Presiding Officers, but because, unlike the NCNC, the Action Group is a pushful and efficient organisation which enjoys popular mass support. (*Applause from Government Members*).

I now quote Sir, from the editorial of the *Pilot* of Monday, 12th May, 1958, written on the result of the elections, captioned "Above Party and Office". With your permission I read the editorial "Above Party and Office".

"No matter the reason for it, the reverses suffered by the NCNC in the current local Government elections in Western Nigeria and at Eket should cause the rank and file of the party a sense of deep disquiet. The strongest ground for dismay, but not despair, is that the

[MR ADIGUN]

realisation does not seem to have dawned on the party that it is losing ground and popularity. It is steadily but gradually abdicating its hold on the masses. Plainly the NCNC has lost its old fire and the magic wand that made it the darling of the people and gave it national billing".

Mr Fakayode : When a Member on the floor of this House quotes from any authority I think it is very appropriate that he should do so from the text, not just anything.....
(Interruptions).

Alhadji Adegbenro : May I respectfully ask the Speaker to allow the hon. the Minister of Health and Social Welfare to tender the paper.

Chief Williams : May I ask the hon. Minister to read the whole of that editorial.

Mr Adigun :

"Before the current elections in the West the party controlled eleven of the 24 divisions. Now it cannot hope to retain its control of more than seven." In the East it has lost Calabar, Ogoni, Uyo and now, Eket. Its strongholds, Enugu, Jos, Warri and, before now, Asaba township, are neglected and torn by internal quarrels. The NCNC managed to keep Ilesha during the regional parliamentary elections by a few thousand votes; Lagos West was retained by 3,000 votes. All these show that the party is ill and needs rebirth. As a national army the NCNC has one problem and fault; the party machine, by which we mean the organisational machine, is faulty to the extreme. The unified command should at any time be able to say, we have a battalion of troops in the remotest village of Nigeria. Thus the strength of the party will always be known and never be in doubt.

"What do we find?—powerful barons, some of them commanding private armies, who all owe allegiance to the national command. Adelabu was a general at Ibadan, Omo-Osagie rules at Benin and Mbadiwe at Orlu, but Okoto-Eboh and Onyia are fast slipping at Warri and Asaba. Things are not well with the party organisation. Everybody wants a job, wants to be an officer or to stand election. There is too much jobbery. Matters have come to such a head that we think the party must submit itself to self-examination".

Mr Speaker, this is good food for thought. This editorial speaks for itself. I am sure it is an appropriate answer to the frivolous Motion before this hon. House.

I beg therefore to oppose the Motion.

Chief Williams : Having replied with the very cogent arguments contained in the *West African Pilot*, the mouthpiece of the Opposition Party, dated Monday, 12th May, 1958, which will form part of the records of this House, I do not think Sir, that I need take much of the time of the House. The main thing that is worrying the NCNC—the Opposition—is that they realise that they are losing ground, and in trying to find a reason for that they have attempted to put the blame on the Government. I think Sir, that the words of the editor of the *Pilot* ought to be seriously considered. (Shouts of "Personal opinion" from Opposition Members). I say that the opinion expressed in the *Pilot* is not the personal opinion of the *Pilot*. There is no doubt that the editor is a Member of the NCNC party. (Interruptions). If he is not a member of the NCNC party they should go and find an NCNC editor if they don't want to lose the election. (Renewed interruptions).

What are the terms of the Motion? That this hon. House calls on the West Regional Government of the Federation of Nigeria to resign forthwith, and seek a fresh mandate from the people before the next Constitutional Conference. That is a physical impossibility.

Opposition Members: It is not.

Chief Williams : Today is the 1st of September and the Conference takes place on the 29th of September. It is impossible between now and the 29th of September to seek a fresh mandate.

In the Western Region there are adequate and modern arrangements for conducting elections. It is true that in some Regions where some people we know are in power they can rush through an election within one week, and they do, with very serious effects on those who are against that Party. They have mobile Police Stations, mobile Registration Offices, which go only to strongholds of the Party in power. We are not made of that stuff. In this Region the arrangements which are being made to conduct the next Federal elections for the whole country are based 99 per cent on the Regulations, on the administrative arrangements of the standard which has been set in the Western Region.

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As a matter of fact the boxes, the election boxes which are to be used, are of the pattern which has been used here in the Western Region.

The only responsibility of the Government as far as Local Government elections is concerned is to make these administrative arrangements, and the arrangements which we have made are so good that they have been adopted for the rest of the country.

All Electoral Officers are appointed by the Electoral Commissioner. It is true that they appoint Local Government Secretaries. The responsibility of the Electoral Officers and Balloting Officers is laid down within the Regulations. None of them are under the direction of the Government. They carry out responsibilities which are laid upon them by law. If anybody is dissatisfied with the manner in which they have performed their duties, or if it is thought by a candidate that the manner in which any Electoral Officer has conducted or performed his duties is not fair, and that he has been prejudiced thereby and lost an election, there is adequate provision in the Regulations for him to petition the High Court, and he can be declared as the winner, or the Court can declare the election void, and a fresh election can be held. But the hon. Member has said there are difficulties in bringing an election petition. The only difficulty which can face an NCNC defeated candidate is the penalty for perjury! Apart from that there are no difficulties whatever.

It is said that we have to deposit an amount of £50. That is part of the allegation which has been brought to the floor of this House. That is not true, it cannot be found in any part of the Regulations. But the Regulations do say that in the discretion of the Court, the Court may order that there should be a deposit for costs. Of course, if you are sure.....

Opposition Benches : How much?

Chief Williams : At the discretion of the Court. Don't you understand what that means? It means that the Court will fix any amount which it likes.

Opposition Members : How much?

Chief Williams : I regret, Mr Speaker, that I am unable to give any further explanation. (*Interruption*).

Chief Oputa-Otutu : So far no Court has awarded anything less than £100.

Chief Williams : I think I can claim more experience than this hon. Gentleman. It is absolutely untrue. (*Prolonged interruption*).

As I was saying, Sir, it is at the discretion of the Court to fix any amount, and if it is alleged—if a petitioner is sure that there is substance in his petition, he should not be afraid to ask for the amount for costs and if the NCNC is a party that is worth its name, it should be able to assist in providing any amount that is asked for. That is the duty of any National Party.

Then there is complaint that the cause of election petition must be brought up within thirty days. They do not consider that that is enough time to elapse in a large-scale fraud which has been practised during electioneering time. In the first place, Sir, the examples which have been quoted on the floor of this House are such that they must give thirty days. Some of the allegations which have been made against the Electoral Officers, like, for example, refusing NCNC supporters a vote, and impersonation, which someone said took place in his presence; 200 ballot papers which are alleged to have been found in the house of an imaginary man.....

One Opposition Member : He is not imaginary. (*Interruptions*).

Chief Williams : Well, all right. Why should thirty days be too short to file a petition in this case? It is quite clear that these things are frivolous excuses.

The point is, Sir, that all the allegations which have been brought by Members of the Opposition are false and malicious. But for the restrictions which have been placed upon me by Regional Parliamentary procedure, I would have described some of the Opposition speakers as shameless liars. As it is, I have to be content with describing them as having no respect whatever for the truth! (*Laughter*).

It has been alleged, Sir, that the Action Group won the elections by force..... The hon. Minister of Health has very likely replied them, Sir. The fact is, that the Action Group is growing from strength to strength.

Opposition Members : From fraud to fraud. (*Interruption*).

Chief Williams : Let me repeat, that we have not won elections by fraud. How did we win the elections in Jos Province, and Ilorin Province? How did we win them in Epe? (*Interruption*). The number of seats controlled by the Action Group in the Local Government Councils has been trebled in the Eastern Region, before the Afenmai

[CHIEF WILLIAMS]

election, we had only one Member in that Assembly. Now we have 18. In other words the Eastern powers have been multiplied 18 times. So the advance in this Region has been quite modest.

The trouble Sir, is that it is unfortunate that Members of the Opposition Party will not work, because Sir, I believe sincerely that this country can only prosper if there is a vigilant and constructive Opposition. I often ponder, Sir, why it is that Opposition Members do not address themselves to matters which affect the daily lives of the people of this Region. Why is it that they do not criticise the activities of Government upon facts which are well known? Why is it that they must invent falsehood in order to find a subject matter for debate? Those who have spoken on the Opposition side before, their names have gone down as having made allegations that are utterly unfounded. (*Shame! shame!*). Their allegations are on record, and it will be to their everlasting shame that their names are recorded for making those allegations, which they cannot prove. (*Interruption*).

For the benefit of the hon. Member who says that I have no constituency, he will appreciate that I am a Member of..... (*Interruption*). If the hon. Member is not aware—as I have told one of the hon. Members who is not here today—if he thinks it is easy to get into the House in the same manner in which I got here, let him try and do so. (*Laughter*).

May I end by telling hon. Members that the Government has no intention whatever of resigning. If hon. Members have doubts about the voting, let them be raised in their constituencies. (*Interruption*).

Mr Speaker: Order. I think hon. Members will adhere to Standing Order 29. Members will not take the floor of the House unnecessarily, nor sit in a place allotted to any other Member. I shall request hon. Members to sit in their own proper places.

The Minister of Trade and Industry (Chief A. O. Adeyi): Mr Speaker, Sir, I thank you very much for giving me this opportunity to correct one brief point made by one of the speakers on the other side of this House. It is unfortunate that Members of the Opposition come to this House to reveal their ignorance. There are so many attributes of the NCNC as a Party, one of which is ignorance. I shall give the rest in my future addresses. One of them struck me yesterday, as a lecturer in Ethics. I shall also give them the benefit of my knowledge of ethics, so that

they can become better and more useful citizens in this country. The Mover of this Motion made a similar allegation yesterday that one chief borrowed money, and he thought he was correcting the loan policy of this Government. It is unfortunate that this same hon. Member who moved this Motion should come to this House only to contradict himself. He was urging this Government to invest money. Where? In his house or where?

Opposition Members: To invest money in the land.

Chief Adeyi: £25,000 was invested in an indigenous bank. The purpose of investing money was to get more money on its deposit. An interest rate of 4 per cent is payable.

Opposition Members: The Minister is not saying anything relevant to the Motion. He is talking about yesterday. The Motion is for the Government to resign. Continue with irrelevancy.

Chief Adeyi: An interest rate of 4 per cent on its deposit. The Mover of this Motion complained that money was deposited in a bank. But there has been no difficulty in claiming the money deposited in this Bank. We have had enough answers and I am sure the Mover of this Motion has been given satisfactory answers as regards the one million pounds he referred to. There is an interest rate of 4 per cent on this and I also said there has been no difficulty experienced in getting this money back. Considering the efficiency with which this special Bank is being run we have no doubt that the money will be got back by the owner. I would like to take this opportunity of warning Members on the other side of this House that when they come to this place they should not make any attempt to mislead the public in any way. They should also try at all times to tell the world the truth. Unfortunately what the Opposition has told this House is nothing but untruth. Mr Speaker Sir, I beg to oppose.

The Minister of Works and Transport (Chief A. O. Ogedengbe): Mr Speaker, Sir, this Motion so far is senseless and it is the sort of thing that is found among the Opposition Members of this House—people without the slightest parliamentary knowledge and I wish they would make these statements outside this House.

Opposition Members: We are ready to make it and make it anywhere (*shame! shame! fraudulent men!*).

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Chief Ogedengbe: Mr Speaker Sir, the Opposition Members have made use of the privilege given to hon. Members to attack decent people on the Government Benches. Various election offences have been credited to this Government. During the last Local Government elections in this Region, many offences were committed by the NCNC followers and they shifted the blame on to the Action Group Party. This shows that the Opposition Members are vague, they are frustrated and hence they try to find a scape-goat. The members of the NCNC are so ignorant of what steps should be taken to bring the offenders to book. When they saw bad things happening during the elections were they so foolish as not to call attention to them if they were all that sure of the allegations? The NCNC Sir, should accept its ignominious defeat.

Opposition Members: Resign, resign. Mr preacher, resign.

Chief Ogedengbe: Mr Speaker, Sir, let us look at the NCNC Benches. How many Members have they today? Those who are still there are people without conscience and those who have seen the light have left them and joined the Government Benches. Those left on the Opposition side are men who are shown the way but will not follow. Mr Speaker Sir, the hon. Minister of Health and Social Welfare has ably shown Members of the Opposition where their shoes pinch them and I need not go further, and therefore I oppose this Motion.

Chief Enahoro: Mr Speaker Sir, I would like to assure the Opposition Members that I shall not embarrass them. I shall only try to make some explanations on the points raised concerning my Ministry.

Opposition Benches: Minister of All Affairs—talk on.

Chief Enahoro: Mr Speaker Sir, the first is the Nigeria Broadcasting Corporation. It has been alleged that the Nigerian Broadcasting Corporation has been taken up by the Action Group. This is absolutely untrue. The engagement of staff in the Nigerian Broadcasting Corporation is not within any Regional competence. It is a Federal matter and the Action Group is not controlling the Federal House and most of the staff of the Nigerian Broadcasting Corporation were engaged before the Action Group took over this Region. Sir, whatever may be the doings of the Nigerian Broadcasting Corporation, this Government is not responsible. It is possible that the Nigerian Broadcasting

Corporation may make mistakes from time to time. To give an example of the mistakes which the Nigerian Broadcasting Corporation makes, sometime it was broadcast that we won 18 seats in my district whereas no election took place of recent. But I would assure the hon. Members opposite that we on this side of the House have full confidence in the Nigerian Broadcasting Corporation but if they have no confidence in the Nigerian Broadcasting Corporation it is their duty to take up the matter with their own Ministers in the Federal House who are responsible.

Government Benches: It used to be Kola Balogun (*laughter*).

Chief Enahoro: Second point is the request for the Police to be at polling stations. Quite apart from its undesirability it is physically impossible. There are 6,000 polling stations in this Region and there are available 21,644 policemen so that even if every policeman from the Commissioner to the last man were available to be posted to the polling stations during elections it would not be possible to share the men among the polling stations.

Opposition Benches: The elections do not take place on the same dates. Take for instance now, an election is being conducted at Owo, you can draft policemen from Ibadan to Owo and *vice versa*.

Chief Enahoro: If I am going to be interrupted..... There are 1,421 policemen in the Nigerian Police Force and there are 1,322 in the Local Government Police Force and out of these numbers hon. Members must know that provision must be made for administrative staff. I have no doubt in my mind at all that what the NCNC wants is to disturb our force so widely so that they can have time to practise anything they want at any particular point knowing that there will be no police to check them. I have had personal experience of such things in my district. Once they see there are no policemen around they start to maltreat innocent people. Now, Sir, I have no doubt personally in my mind that what the NCNC really want is for us to disperse our Police Force so widely during elections, so that they can practise whatever they want, knowing there are no policemen to check whatever happens. I have had personal experience of this in my own divisions and that was because they thought the Police were far away without realising that the Superintendent of Police was less than five miles away. For that reason, I fully support the policy of the Commissioner of Police, and have requested that during elections detach-

[CHIEF ENAHORO]

ments should be available at points so that they can be near to deal with any malpractices.

The third point is that one hon. Member made certain remarks about the Commissioner of Police here this morning, and I challenged him to let me have the document promising that I would let the House know the result before we rise today. I have no doubt in my mind that the document is false; if it isn't, let me have it, and I will give it to the Commissioner of Police, and we will have an answer tonight. (*Interruptions*).

Now, Sir, the fourth point is that a charge has been made that these elections were arranged so that Action Group-controlled Divisions might be dealt with first before the others. May I refer, Sir, to page 5 of this Report giving the dates on which these elections were held, and you will find that the first Divisions dealt with were Remo, Western Ijaw and Asaba Division. At that time, we did not control Western Ijaw Division and, at that time, Sir, we did not control Asaba Division.

The next point, Sir, is that one Member asserted that there was no occasion on which law and order was maintained during the elections in the Region. That is true as far as the NCNC-controlled Divisions are concerned. In Benin and Ibadan Divisions, every time there are elections, you must have riots. Why is it that it does not happen elsewhere. There are several other divisions in this Region. Ilesha Division is controlled by the NCNC—there are no riots; the NCNC have won elections in Ondo, but in Ibadan and Benin there are always disorders. In Afenmai we lost a Parliamentary Secretary, there was no riot, but in Ibadan there must always be riots.

Now, Sir, I do agree that there are disturbances in these two divisions. From time to time we are told in this House (*Interruptions*). Nobody wants to wipe out the NCNC. I, in fact, Sir, like to see an Opposition..... (*Interruptions*).

Now, Sir, a further point is that we have had an allegation that one man was killed during the last election—one man was killed! Mr Speaker, Sir, how can these people come out here and speak about one man being killed when more than three months ago people were slaughtered by the NCNC (*Interruptions*), and yet people come here now and talk about one man being killed.

Chief Oputa-Otutu : On point of order Sir, the case is still in Court.

Chief Enahoro : What order? The hon. Member will agree that I am the last person to mis-read the Standing Orders of the House. Mr Speaker, Sir, considering the recent murders carried out in this Division in respect of which there are now many cases in Court, how can the Opposition come here and talk about one man being killed? People have been murdered in Benin, and less than three months ago, people were slaughtered in Ibadan. It is the duty of the aggrieved person, Sir, to approach the Police and if the Police do not take action, that is the proper time for Members to come to this hon. House (*Interruptions*). I can assure hon. Members that there is no power in this Region which can instruct the Police not to take murder cases to Court. Who is the person who can instruct the Police not to proceed with murder cases?

Now, Sir, one last point I would like to make, I have myself been in the position in which I regard myself as the Opposition; that was in the Federal Government. It is not necessary to continue to accuse in order to be an efficient Opposition; it is not necessary to be destructive in order to appear critical. I think that this is a lesson that the Opposition require to learn. (*Interruptions*). Certain Opposition Members have accused the Government of buying over their members. It appears that the NCNC and their supporters must be men without conviction, otherwise why should it be easy to buy them? We lost the Federal Elections in this Region in 1954, but you did not hear any weeping from us; we realised that our Party had not made sufficient effort to win it. We never accused the NCNC of malpractices, but every time the NCNC loses in the West or anywhere, there is something puzzling.

Now, Sir, I have to refer to the suggestion made by the hon. the Minister of Justice. I think it would be very frivolous to ask that the Parliament of this Region should resign. At the worst, even though these charges were genuine, they would only amount to the fact that the Minister of Local Government has not done his job properly, that is the worst possible construction you can put on it, but not that the Government should resign because two men have been found with 1,000 ballot papers. Sir, we have a mandate to rule this Region for five years, and it is our intention to rule this Region for five years. Furthermore, Sir, I should like to assure the Opposition that the challenge they have made is not new. We had a similar challenge in 1955 (*Interruptions*).

Alhadji : if the Op part of the been regar stature and they woul dealing w making Speaker S We find th descended employed ment Part are the ex who havep to this H as I said by the belt fo up witho general ai servants. things w Motion regarded dence of Speaker S the hon. Welfare f publicatio this Regio party kno my hon. asking fo allow tha the West remain pa

May I Opposition aeration Local G the Mov ment sh Motion ought to last Loca look at must ju Govern that resu confiden Region I am no rnerely which House Report Western Report. exactly wards in election

[ALHADJI ADEGBENRO]

I say Sir, that that is far from the truth. What happened was that the elections came up in April 1958 and the first divisions that had their elections from the beginning of the 7th to the 19th of April are the following: Western Ijaw, Asaba, Aboh and from the results (*interruptions*), the Action Group came out with flying colours in Western Ijaw and in Asaba and even in Aboh and in Ishan. The Action Group was able to win many more councils from the NCNC in Urhobo and Warri Divisions.

The hon. the Mover suggested in his speech this morning, Mr Speaker, that the elections are unsatisfactory because the Action Group had bought over candidates belonging to his Party. Again, I say nothing can be further from the truth. The result of the election into that council was that in Ukwuani District Council in Aboh division the Action Group scored 19 from nothing and the NCNC, 19. On the day of the first meeting of the Council the first business of the council was to elect a chairman. Now Sir, two parties, having had equal members, could not elect a chairman and there was a deadlock. There was equality of votes, 19 on one side, and 19 on the other. The chairman suggested that a decision should be taken by lot. I mention this because he laid emphasis on the instruction from my Ministry that the election of the chairman at that particular meeting was illegal. It was quite illegal because there is nothing in the Electoral Regulations and nothing in the Local Government Law that makes provision for election of chairman of a council by lot. I decided that election could not be by lot and I remember in June, Mr Speaker, when I brought a Bill to this House, I disclosed that the responsibility of the chairman of the council is such that it cannot be determined by lot.

The mover also suggested that the district council in Ukwuani has been won over by the Action Group because of the injection of chiefs into that council. Mr Speaker, again I say, nothing can be further from the truth. Till today Sir, the chiefs, the traditional members have not taken their seats in that council and in spite of that Mr Speaker, my hon. Friend was voted out as chairman of that council. Now, there is one important aspect of this allegation of my hon. Friend, the Member for Aboh, about the injection of traditional members into the Ukwuani District Council. I challenge him to deny the fact that he has written several petitions to me, he has also come to see me. He has led several delegations to me, asking that chiefs

should be put into the Ukwuani District Council since there are chiefs in the Ndosimili District Council. These are the two councils forming Aboh Division, and that has been the reason why that division is not represented in the House of Chiefs. It is a pity indeed and this is the type of thing that would rob the Aboh people of their right in the House of Chiefs. It is difficult to determine tradition in that part of the Region because those who claim to be chiefs are not found at the roots of the chieftaincy tradition.

It is a pity, Mr Speaker, that the other Member—that is the second Member for Aboh Division—is not here now. I would like to say that his Colleague from the same Division with him is standing—or rather, is an obstacle—in the way of Aboh Division getting a representation in the House of Chiefs.

You have heard also from a Member from Asaba Division about the injection of chiefs into Councils, and that the Action Group won the election because of these chiefs. Again, Mr Speaker, that is not correct. The election was won purely on party organisation and party goodwill. Before the Chiefs ever took their seats elections had been held.

Sir, before the last election the membership of the Action Group in the Council was 9 and the NCNC, 20. But after the election, the Action Group won 16 seats, and the NCNC won only 13 seats. It goes to show, Sir, that the Action Group had won immensely by the goodwill and confidence which the people of this Region have for it. Therefore, Mr Speaker, it is our right once we are able to win a local election to elect a chairman for that Council, and also to run its affairs in a way which would be beneficial to the people whom we represent in that area.

Mr Speaker, Sir, both sides of this hon. House will remember the threats of riots which the hon. the Deputy Speaker of this House issued on the occasion of the proposal to put traditional members into the Asaba District Council. After the election into that Council I decided to attend the first meeting of the Asaba District Council because I would like to be an eye witness of the riots threatened by the hon. the Deputy Speaker. But what happened? Mr Speaker Sir, it is interesting to note that my visit coincided with that of the hon. Minister of Works and Transport, and both of us were present at that meeting. But what happened? Instead of rioting, or instead of disturbances, there was dancing, merry making and so on and so forth. Mr Speaker, Sir, I even had to leave the Rest House and sleep in the House of a friend at Asaba. I did this in order to see

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whether I could move anywhere in the town without let or hindrance.

Opposition Benches : So you are a very brave man?

Alhadji Adegbenro : Western Ijaw—

The two Members from that area have made some comments ; they have mentioned certain things which many people cannot remember now.

Opposition Benches : Including yourself?

Alhadji Adegbenro : All I can remember is the allegation that the Action Group won the last election by fraudulent means. But may I tell them, Mr Speaker, Sir, that before the last local election the Action Group had no single member in any Council in Western Ijaw. Not only that, Sir, the Action Group did not even conduct any campaigns in that part of the Region. But because of the goodwill and confidence which the people of this Region have about the Action Group the NCNC lost all the Councils in Western Ijaw. Even my hon. Friend, the Member for Ijaw North who also contested the last election, lost his deposit. (*Shame! Shame! Shame!*)

Not only that, Sir, the second Member from Western Ijaw was at that time, of course, having a comfortable time in Her Majesty's Catering Rest House at Broad Street, Lagos.

Mr Speaker Sir, there is one serious allegation made against the Electoral Commissioner of this Region. The Electoral Commissioner performed his duties with absolute impartiality during the last elections, and it is only sufficient for me, as I do not want to bother you, Mr Speaker, to say that on behalf of the Government of this Region, I would like to pay my tribute to that gallant officer for the way he has conducted the last election. I should like also to put on record Government appreciation of the excellent performances of this officer.

Mr Speaker, Sir, before I close this short speech, I should like to tell you a short story. It is a very short story about an incident which occurred in a constituency in the Western Region.

Opposition Benches : Was that in your constituency?

Alhadji Adegbenro : I happened to be connected with that constituency. After polling, Mr Speaker, Sir, boxes were being carried to the counting centre. A small boy of about nine or ten was invited by a candidate, to carry a box. This boy willingly accepted to carry the box. But at the count-

ing centre when this box was placed on the table and the boy detected that the box he carried there had the Cock Symbol on it, what did he do? He burst into tears. I quickly ran to his aid thinking that probably the boy must have been hurt. On enquiry, however, this little kid said he became unhappy when he knew he had been carrying a box with the Cock Symbol. Mr Speaker, this is a very poignant incident to show that the people of this Region have lost confidence in the NCNC, and it is only left for the NCNC to look round and examine themselves to see whether their organisation means anything at all.

Mr Speaker, Sir, the matter of past performance. The credit balance of the Action Group is robust, and no mandate can be stronger and fresher than that given by the overwhelming majority of the people of the Western Region during the last local elections.

Finally, Mr Speaker, Sir, what is the analysis of the speeches which we have listened today? 90 per cent of those who spoke in support come from former NCNC strongholds. What is the inference in that? The inference is there and it is the growing loss of confidence for the NCNC and deep affection and goodwill for the Action Group instead. Mr Speaker, Sir, undoubtedly we can understand the indignation of the NCNC.

Mr Speaker, Sir, I beg to oppose.

Chief Oputa-Otutu : Mr Speaker, Sir, honestly—indeed honestly—I have been disappointed by the speeches made by Government Members, that is, Members of the Government Benches.

Mr Speaker, Sir, I begin by speaking on what the Minister of Local Government said. Mr Speaker, Sir, the Minister was telling half truths, honestly. I would not like to say he was telling lies because such a description will be regarded as unparliamentary, but what of this fabricated falsehood!

Mr Speaker, Sir, here is the book—a report is here—in which the Electoral Commissioner himself has given the state of the parties on the 19th of April, as follows :—

Action Group.....9
(it is written in black and white)
NCNC.....19
Independents.....7.

All these figures are written in black and white here. And yet, Mr Speaker, Sir, the party with 9 seats now controls the Council. It is a shame.

[CHIEF OPUTA-OTUTU]

Mr Speaker, Sir, I am happy again that the Minorities Commission has recommendedwith your permission Mr Speaker, Sir, I should just like to quote from the Minorities Commission Report, page 23.

"The Report of the Commission appointed to enquire into the fears of the Minorities and the means of allaying them", page 23.

Government Benches: What paragraph?

Chief Oputa-Otutu: Mr Speaker, Sir, the Minister of Justice and Attorney-General should stop disturbing me. You have no constituency. We shall soon suspend you from this House if you continue in this way. Yes, Mr Speaker, as I was saying, page 23 of the Minorities Commission Report, paragraph 39 reads as follows:—

"More disturbing was the history recounted to us of a number of Local Authority Councils in Ushah and Afenmai in which, after the local government elections, there was an NCNC majority but in which within a few months the majority had gone over to the Action Group. There were in the two Divisions twelve Local Authority Councils. Immediately after the election nine of these had NCNC majorities. Within a few months only five remained to the NCNC, the rest being controlled by the Action Group. We are not aware of the consideration which induced these changes of party, but those who changed included a number of traditional rulers who in a special sense are sensitive to Government favour or its withdrawal".

Chief Enahoro: The Commissioners say that they are "not aware of the considerations". What then are you saying?

Chief Oputa-Otutu: Listen I will tell you; the relevant portion is—

".....who changed included a number of traditional rulers who in a special sense are sensitive to Government favour or its withdrawal".

Mr Speaker, Sir, the Action Group is the only party in this country that does not want an Opposition. So you are not ashamed, and you have the courage to go to the next Constitutional Conference, to the Colonial Secretary, to a man who is used to democratic principles! Shame on you!!

Mr Speaker, Sir, this morning I was very bitter with the Electoral Commissioner. In fact I went to the extent of criticising his

physical features. I am sorry about these things but I was annoyed. The British Administrative Officers have left a tradition in this country. They have left a legacy, and that legacy has been admitted by many people in this country. The British people are well known for their democratic principles, Mr Speaker, Sir, if an officer like the Electoral Commissioner felt that pressure was being brought on him to do something he would not like to do under normal circumstances he should resign. If you come to Ibadan to see the Electoral Commissioner he will say you should go and meet the Minister and the Minister will refer you back to the Electoral Commissioner.

Opposition: Fire on! Fire on!

Chief Oputa-Otutu: Mr Speaker, Sir, honestly speaking, I was disappointed by the performance of the Minister of Home Affairs and Midwest Affairs.

Chief Enahoro: What have I done?

Chief Oputa-Otutu: Mr Speaker, Sir, he had the courage to speak about the London County Council being controlled by Labour for many years. I am very happy that he had the courage to say that in this House. You know very well that the British Conservative Party has been in power for many years in Great Britain. They have never used any fraudulent means to control the County Council. But I know that in the Western Region all possible efforts have been made by the Action Group to control the Ibadan District Council. When they fail to control it they will dissolve it. They will use all sorts of obstructions in order to find ways of controlling it. Mr Speaker, Sir, I was again entertained by one of our Ministers—Chief Ogedengbe. He said nothing if you listened to what he said. He said the Motion was irresponsible and then here we are. Our portable Minister of Commerce and Industry was trying to defend the investment of £25,000 belonging to the people of this Region in an indigenous private bank and said it yields 4 per cent and that we should be satisfied with that. Yet we have no money to build our roads. Mr Speaker, Sir, this morning the Member for Aboh exposed what happened during the last election in my constituency. The fact is that the Electoral Law and the Electoral Regulations are so mixed up. You cannot take anybody to court under the Electoral Law, even if there is any bribery and corruption. When I spoke this morning I challenged the Minister of Local Government to dissolve that Council and see whether he could get two Action

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Group Members into that Council. Mr Speaker, Sir, I would like the Minister to know again that I challenge him to dissolve that Council and see if he could get two Action Group members.

Alhadji Adegbenro: You are no longer in the Council.

Chief Oputa-Otutu: Please allow me to go there and campaign.

Mr Speaker, Sir, this morning I was entertained by our great Attorney-General and Minister of Justice. You claim to be the Director of Prosecution.

Chief Williams: I do not claim to be the Director of Prosecution.

Chief Oputa-Otutu: The case of the Director of Prosecution being under the Attorney-General should be reviewed. We are losing confidence in that Department. Mr Speaker, Sir, the point is that that Department is playing politics and the people of this Region are gradually losing confidence in it. Mr Speaker, Sir, we may be compelled to write to the Colonial Secretary to review this particular aspect by removing the Prosecution Department from the control of the Attorney-General.

Mr Speaker, Sir, I listened to Alhadji Gbadamosi. Well, he said nothing. In the morning I said that the Minorities Commission has ordered that the present courts be abolished as they are of no use. Members of these Courts are Action Group fanatics. If you are not a member of the Action Group you will not be appointed into this Court. The recommendation of the Minorities Commission at section 25 page 106 was that the responsibility for appointment to District Councils should be vested in an independent body such as a Judicial Service Commission.

Chief Williams: It is in order for the hon. Gentleman to quote from the Report but it is not in order for the hon. Gentleman to mislead the House. Section 25 which he refers to is in Chapter 6 and this deals with the Eastern Region. (*Shame! Shame!*)

Chief Oputa-Otutu: You have not read the report; that is the trouble. (*Shame! Shame!*)

The fact is that there is going to be a Judicial Commission, an independent Judicial Commission, not what you call "Local Service Board" (*Interruptions from Government Front Bench*). I mentioned certain personalities, I agree. Those men have never left Ibadan in all their lives (*Laughter, Laughter*). How would they know these members

of customary courts? They have never met them in person, and yet they are appointed simply because they are Action Group supporters and these people are recommended by Action Group people.....

I would like, Sir, to draw the attention of this House to these serious and grave allegations made against the Government of this Region. In any democratic country, any Government which does not defend these charges would resign without being asked to do so. The Western Region Government has no right to go to Great Britain and sit at that Constitutional Conference. Mr Speaker Sir, a Government that would take the people's fund and deposit it in a Bank for six to seven years without giving an account of it to this hon. House should resign. Mr Speaker, a Government that would resort to the injection of traditional members into Councils in order to control them should also resign. These are very grave charges, they must not be treated with levity. You can't fool the Nigerian public all the time.....

Question proposed.

Question put and negatived.

PARLIAMENTARY DELEGATIONS OVERSEAS

Mr G. B. Adeyemi: The Motion is that this honourable House call on the Western Region Government to consider the possibility of sending parliamentary delegations of at least eight members at a time to the United Kingdom annually as in the case of the Federal House.

Mr Speaker, Sir, as the Motion is so explicit and almost speaks for itself, I think it is very unnecessary for me to make a long speech. Hon. Members will agree with me that many benefits will be derived if such a delegation is sent abroad especially at this time when the country is heading for independence. It will foster friendly relations, mutual understanding, and exchange of views with other parliamentarians in other parts of the world. It will allow us to study the inside stuff of how Governments in other countries are being run. The practical experience given will be of advantage to the people of this Region and to the country as a whole. If this Motion is carried, the Western Region Government, already known for its progressive and democratic attitude, will be setting up another landmark in the history of Nigeria. It is my sincere wish that this Motion may receive the support of both sides of this House.

Mr Speaker, Sir, I beg to move.

Chief Lebi : Mr Speaker, Sir, I rise to second this Motion. This is the only Motion that needs no debate, for it commends itself to both sides of the House. Everybody will agree with me that the Government of this Region is the most progressive, the most practical, the most dynamic, the most tolerant, the most generous, the most humanitarian Government in this country. In the practice and pattern for true democracy, our Government is exemplary. It will therefore be a gesture of goodwill on the part of our generous Government to send parliamentary delegations to the United Kingdom. I am sure such delegations will come back with renewed spirit.

Mr Speaker, Sir, I beg to second.

Mr A. M. F. Agbaje : Mr Speaker, Sir, I should like to make one observation. We hope this is not an attempt to use this opportunity mainly for the purpose of the Members on the Government Benches..... (*Government Benches : No, No, No!*)..... and we hope that when delegations are being sent, there will be equal representations from both sides of the House.

Chief Enahoro : It gives me great pleasure to say that we are considering the possibility of sending parliamentary delegations abroad. I would like to assure hon. Members that if and when the time comes to make selection, the Opposition side will be adequately represented.

Question proposed.

Question put and agreed to.

ELECTIONS TO LOCAL GOVERNMENT COUNCILS

The Mover—Mr C. A. Williams—being (absent, the Motion was not taken).

THE OLU OF WARRI'S ATTITUDE TOWARDS THE IJAWS AND URHOBOS

Mr Ariworiyai : Mr Speaker, Sir, it is not my intention to go through this Motion, but meanwhile I wish to make a few comments.

Chief Enahoro : Is he in fact prepared to move the Motion?

Mr Ariworiyai : The hon. the Minister of Home and Midwest Affairs knows very well that when I mean to act I act properly. The only unfortunate thing is that my Colleague from Western Ijaw South, who would have seconded this Motion, has already left for Warri and there is at the moment nobody prepared or qualified enough to second this Motion. (*Laughter*). I am sure that hon. Members of this House will agree with me that it has happened on repeated occasions

that when either Mr Ozeke or myself move Motions, those Motions are never seconded by any other person (*Laughter*) despite the fact that we have on repeated occasions spoken in support of Motions moved by other Members of the House. I am not moving this Motion, but.....

Mr Speaker : I take it for granted that the hon. Member does not move.

Mr Ariworiyai : Yes, I do not move.

APPOINTMENT OF NCNC MEMBERS TO PUBLIC BOARDS

Mr Adesokan : For the simple reason that a Motion calling upon the Government of the Region to resign and seek a fresh mandate has been defeated in this House, which shows clearly beyond any reasonable doubt that Government is not ready for any improvements sponsored by the Opposition, I would like to withdraw this Motion. Even if I moved this Motion, the Government would throw it aside ; therefore I am withdrawing.

Mr Speaker : If the hon. Member is withdrawing, then it is going to be with the leave of the House.

Mr Adesokan : I meant that I do not move.

ABOLITION OF DEPORTATION ORDER

Mr Oviasu : Mr Speaker, Sir, I rise to move—

“That this hon. House calls on the Regional Government to abolish deportation either as a punitive measure or as a means of securing law and order especially in Chieftaincy disputes”.

When I survey the fascist tendencies of this Regional Government in various ways, I feel sure that no sensible person will hesitate to welcome this Motion as being timely. We have in fact in the past, on numerous occasions, pointed to their dictatorial and tyrannical tendencies. For the purpose of this Motion I shall confine my discussion to deportation orders.

I shall prove to this honourable House that either as a punitive measure or as a means of securing law and order, deportation is not necessary, is not right, is not democratic ; is vicious, is tyrannical, and is anachronistic.

Mr Speaker, I submit that as a punitive measure, banishment is not right and is not necessary. Firstly, we have our criminal code. Since no citizen is insulated against criminal liability, the acceptance of deportation as a punitive measure is therefore an admission of administrative weakness.

[MR OVIASU]

Secondly, the deportation order as a punitive measure is vicious and tyrannical. It does not recognise the liberty of the citizen as far as the right of appeal is concerned. Court jurisdiction is excluded and, in this case, Government arrogates to itself the dual capacity of a prosecutor and a judge in its own case. The person to whom a deportation order is served cannot appeal to any court of justice. This accounts for the failure of the ex-Alafin of Oyo to seek redress in a court of law, notwithstanding the fact that he was exonerated by the Commissioner from all charges preferred against him. Because he is a political enemy to the Action Group, because he failed to support the selfish political aspirations of the Government Party, the Government became callous and impermeable to reason and served a deportation order on him. Happily for the ex-Alafin, he had a foreknowledge of the imminent danger. This mighty ruler of Yorubaland ran for dear life and liberty and took shelter in Lagos. I understand, Sir—and I have it here on good authority—that he was to have been sent to an almost desolate island near Forcados. There, in that terrible, mosquito-ridden island, he might have died at the hands of unknown assassins, possibly inspired by the Government party. No act could be more palpably inhuman.

I submit that deportation as a means of securing law and order in chieftaincy disputes, is either a weapon designed for the annihilation of political opponents or an admission of governmental weakness and administrative inexperience. Order, we support. But is deportation the only or most effective way of preserving order? In chieftaincy disputes, it is a well known fact that the person who finally succeeds to the stool is not the one whose rights are most unchallengeable but the one who has been a supporter of the Government Party. In setting chieftaincy disputes, Government's tyrannical tendencies are revealed once again in concentrating in the hands of the Governor in Council the three powers—legislative, executive and judiciary. They make the law, interpret it to suit the whims and caprices of the Government Party, and execute it. Again, court jurisdiction is excluded. This is absolute tyranny.

With your permission, Mr Speaker, I quote some relevant sections from the Appointment and Recognition of Chiefs Law.

“The Governor may suspend or depose any chief whether appointed before or

after the commencement of this Law, if he is satisfied that such suspension or deposition is required according to native law and custom or is necessary in the interest of peace, or order or good government.

“Where a chief is suspended under sub-section (1), the Governor shall specify the powers and duties under native law and custom or under any written law that shall not be exercised or discharged by such chief and may make such provision for the temporary exercise and discharge of such powers and duties by another person as he shall think fit.

“If any person shall have been convicted of an offence against the provisions of this Law or have been suspended or deposed under the provision of sub-section (1) or section 22 and the Governor shall consider that in the interests of peace, order and good government an order of deportation to any place in the Western Region should be made, he may by writing under his hand and seal order such person to be deported accordingly.

“If a person ordered to be deported is sentenced to any term of imprisonment, such sentence shall be served before the order of deportation is carried into effect.

“An order of deportation may be expressed to be in force for a limited time or for an unlimited time and may require the deported person to report himself to the nearest administrative officer or officer of police at intervals of not less than thirty days.

“An order of deportation shall be sufficient authority to all persons to whom it is directed or delivered for execution to receive and detain the person therein named and to carry him to the place named”.

I stop so far.

All people are agreed that it is an act of criminal insanity, and of extreme atrocity, to indulge in flogging a dead horse. To comply with the provisions of this Law a chief may be suspended, deposed, jailed and divested of all rights and privileges formerly enjoyed by him. It would appear that is not enough and so if the Governor considers it to be in the interest of peace, order and good government an order of deportation should be made.

[MR OVIASU]

This deportation weapon is like the sword of Damocles hanging over the heads of our respected Obas and Chiefs. The effect of this on their mental composure is incalculable.

They are forced to think and behave like slaves. For their safety and self-preservation they have to support the Government Party. The Minorities Commissioners confirm this in their Report. Mr Speaker, with your permission, I beg to quote.

"It is significant that in the House of Chiefs, whose total membership is 52, there is now only one Member who is not a supporter of the Action Group".....

Chief Enahoro: Mr Speaker, Sir, that is out of date. There is no Member of the NCNC there now.

Mr Oviasu: I crave your indulgence, please refrain from unnecessary and unseemingly interruptions.

Chief Enahoro: I am only helping you to put your case more clearly.

Mr Oviasu: As has already been mentioned, the example of one great Chief, the Alafin of Oyo, who was deposed in 1956, cannot be forgotten by any Chief in the Region. The influence of Chiefs is still great, and if a Chief is sucked into the vortex of politics it is inevitable that his views should tell at an election. One instance is the Olu of Warri, who summoned a meeting of his people, the Itsckiri, and formally told them to vote for the Action Group; this was exceptional, and it was not usually necessary for a chief to proceed so openly as this.

Under the pretence of maintaining law and order the Government of this Region is always consistently and cleverly devising means of cowing political opponents into submission. The Deportation Order is one of such diabolical devices. So many terrible things have been done by Government under the dear name of law and order. Order without liberty is futile. If law and order are connected in our mind it is because of Rome. The ancient Roman order of the 5th Century is what the Regional Government is copying in the 20th Century. What a height of anachronism? You put blazing coals on a man's head and ask him to stay quiet while pointing a revolver at him. Rome paid too dearly for that sort of order because it was at the expense of liberty. Rome in giving order to Europe robbed her of all vitality. Thus order became tyranny. We cannot escape history. God and History are always the

best judges. What happened to Rome? She was rent by her private selfishness. The seeds of revolution she sowed germinated and had a boomerang effect on her. The destruction of the Roman Empire by the Barbarians was in fact an emergence of brute force in Europe from which it has taken Europe nearly 2,000 years to recover.

Mr Speaker, I have surveyed the various fascist and tyrannical tendencies of the Government. I have shown that the Deportation Order is one of the atrocious devices for cowing political opponents into submission. I have also shown that as a punitive measure or as a means of securing law and order there are other ways open than by deportation. I have also proved that deportation, apart from being inhuman, is anachronistic, obsolete, and unprogressive.

I would at this juncture like to commend the example of the Eastern Region Government to this honourable House. In the East deportation has been abolished from the Statute books. The Eastern Government has thus demonstrated an act of political magnanimity, sagacity and benevolent administration.

Finally, I would like to make it abundantly clear that the Opposition deprecates any device that alienates a man from his property and family. We cannot tolerate the degradation of human personalities in our community by threats of deportation. We want security for our Obas and Chiefs. It is our sacred duty to protect their interest. We oppose deportation. We oppose the type of law and order that degenerates into tyranny.

We cannot tolerate in our community that sort of deportation. We want security for our respected Obas and Chiefs.....(*interruptions*). It is our sacred duty to protect their interest and we shall continue to protect their interest. We shall continue to be their watchdogs. We oppose deportation.

Mr Speaker, Sir, I beg to move.

Mr Afolabi: If there is anyone who should know what respect is due to the memory or to the rank of an Alafin it should be a Yoruba man. Therefore for any Member of this honourable House to refer to the ex-Alafin with such levity shows lack of ordinary courtesy and respect and I very much deprecate the idea of ridiculing an august person like the Alafin. If anybody on the Government Benches today has a sense of shame he should cover his head any time the atrocity committed in Oyo is mentioned. I refuse to accept such comments and I crave the indulgence of the Speaker to bring his fact home to the Government.

[MR AFOLABI]

Mr Speaker, I support this momentous Motion. I would like to preface my few remarks by quoting the principles enunciated in the American Declaration of Independence.

Mr Speaker Sir, it is obvious from the foregoing that the primary objective of any good and democratic Government is to seek the happiness and welfare of its subjects, but from the happenings in this Region the reverse has been the case. Day in day out the Government makes life more difficult and uncomfortable for its subjects by enacting unjust, obnoxious, inhuman and vindictive laws to oppress and victimise the people, and one of these laws in the Deportation of Chiefs Order.

The operation of this law, Mr Speaker Sir, would be less repugnant if innocent citizens were not brought under its excruciating pains. In a totalitarian country these provisions are the weapons employed by despots to achieve their selfish ends and to put themselves in power. I can cite two glaring instances of this abuse of power by the Western Region Government.

I refer to the deportation of the late Aremo of Oyo, a chief and prince in his own right and the ex-Alafin of Oyo. Whereas the Aremo was falsely accused, charged and convicted, he was later discharged and acquitted by a competent court of justice. Yet the Western Region Government, to satisfy its whims and caprices, regardless of any sense of shame, deported him from his kingdom and people and allowed him to die of hunger and frustration, making no provision for his sustenance. The ex-Alafin, his august father was accused by this same Government and subjected to a very rigorous enquiry, and although the Commissioner of Enquiry exonerated him from these allegations and recommended that he should remain with his people, the Western Region Government deported and deposed him. The deportation, considered from any view point cannot stand the test of justice and a progressive humane Government.

As a punitive measure it is wicked, inhuman, reactionary and anachronistic. As a means of securing law and order it has always failed as it is failing in Oyo Division today. The social order in Oyo Division has been disrupted and anarchy and chaos have been enthroned in the place of law and order and the people have enjoyed no real peace and tranquility in consequence of this inhuman act ever since.

As hon. Members in this House are well aware, the Oyos have a proverbially high

respect for their Obas, particularly the Alafin. What is the position today? I ask the Minister of Justice to answer.

Chief Williams: Have you any respect for the Alafin?

Mr Afolabi: What is the position today?

Government Members: There is peace, order and good government.

Mr Afolabi: There is chaos, anarchy, disrespect for natural rulers. The report of the Minorities Commission is eloquent on the dastardly and diabolic force used by the Action Group Government to cow down the natural rulers of this Region with a view to achieving political advantage.

The deportation Order is compared to the sword of Damocles hanging over the natural rulers to bring them into subjection.

Mr Speaker Sir, I whole-heartedly recommend that this bad law be expunged from the statute book: the time is long overdue.

I second the Motion.

Question proposed.

Chief Williams: Mr Speaker Sir, I shall be brief. The Motion says that the House calls on the Regional Government to abolish deportation either as a punitive measure or as a means of securing law and order especially in Chieftaincy disputes.

I would like hon. Members to know in the first place that it is not correct to suggest, as the Motion does, that deportation is a punitive measure in this Region. Deportation as such is used only in regard to chiefs. It is only under the Chiefs Law that the law is vested in the Regional Government to deport anybody, and even then it is not, strictly speaking, deportation, because he cannot be asked to go outside this Region. His movement within the Region is restricted but he cannot be sent outside the Region. The power to ask someone to leave the Region is vested in the Federal Government—it is only the Federal Government that can deport anybody. I presume the Mover means restricting the movement of a chief under the Law. That only applies to chiefs. It is not correct to say that an ordinary person can be deported.

In regard to its powers over chiefs it is only the Alafin of Oyo who has been subjected to the Deportation Order in this Region by the Regional Government. This Government has been in power for more than seven years and it is only that instance that has been quoted.

[CHIEF WILLIAMS]

The hon. Member for Benin alleged that he understood that the Alafin was to be deported to Forcados; that is absolutely unfounded. This is not the time for me to go into the history of the case of the Alafin. That has been discussed several times in this House and I do not need to go into it again.

The Minorities Commission made a certain reference to the composition of the House of Chiefs. But I would like to remind hon. Members that the regulations for selecting Members for the House of Chiefs were made by a Joint Party Committee and under those regulations Local Government Councils have the effective voices for selecting Members of the House of Chiefs.

There are some Divisions where the NCNC are in the majority and in regard to these Divisions it is the NCNC who were responsible for choosing their candidates for the House of Chiefs. There is therefore no justification whatever for the statement which has been quoted from the report of the Minorities Commission. (*Interruptions*). What I know is that in the Divisions where the NCNC predominate the person selected must be somebody with NCNC views—Ilesha is another example.

The Government has been asked to copy the Eastern Government with regard to the question of deportation. Well, unfortunately, in that Region, there are no chiefs; it is only trying to copy the Western Region. I have no doubt that after copying the Western Region they will take steps to ensure that there are adequate measures for law and order.

I think that the Motion is uncalled for. As I said the Governor has used the power of deportation only once and, in any event, it is not correct that deportation is being used in this Region as a punitive measure.

Mr Speaker Sir, I beg to oppose.

Mr Oviasu: Mr Speaker Sir, I consider this Motion a very important one for which the House should have allowed more time for a full dress debate. I deprecate the parliamentary trick of cutting short the debate on this important Motion. I am happy to note that in summing up or winding up for the Government Benches, the Minister of Justice had not a single point against my argument against deportation. He has not presented a single point against my various arguments against deportation. But it is clear that deportation is wrong, it is not right, it is inhuman, and ought to be abolished in this Region.

I am not saying, Sir, that the hon. the Minister of Justice is not intelligent; but I would have expected a person of such high intelligence to have been able to reason more clearly. It reflects a sort of mental aberration. He said, "strictly speaking, it is not deportation"—in those very words. Well, if it is not deportation, what does he call it? (*Hon. Members: a restriction*). It is deportation, not a restriction. And if you go to a dictionary—Oxford, Chambers, what you like—you will find that deportation is banishment, is taking a person from his own home to a place unknown to him, parting him from his own home and property. That is deportation, not restriction; it is banishment. (*Interruption*).

The Minister of Justice, instead of coming out with facts to counteract my point, just stirred it up without making any point. He said that the Alafin of Oyo was not deported to Forcados. That is not very material to my argument. It is not material to my argument, where he has been deported. It is not relevant, Mr Speaker, the fact that since the past seven years this Party has been in power only one deportation has taken place does not mean that this motion does not arise. The fact is that so long as this Order remains in force, whenever it suits the Government they can make use of it. I have shown in this House that it is like the so-called Roman Order of the Fifth Century. It sent the whole of Rome into barbarous deeds. It is just what this Government Party is doing, and what befell Rome will surely befall this Government, unless it adjusts its policy.

Finally, Mr Speaker, Sir, there are many other ways in which we can restore or maintain law and order. We should make better use of the Criminal Code. We have been told that it is effective, so why not make use of it?

I have also told this House that the way that the Government Party always seeks to have in its hands the three powers is nothing but absolute tyranny, anarchy. So far as deportation is concerned, the person whom the deportation concerns has no word of it. There is no Court of Law, and in this particular case the person who prosecuted was also the Judge in the case, and was the person who made the law to suit his own purposes. What do you expect? What can you expect but injustice? I would have expected a Minister of Justice to reflect in his dealings.....(*interruptions*). His interpretations showed nothing but a miscarriage of

justice. Mr Speaker, Sir, I commend it to this hon. House to consider this Motion as acceptable and wise.

Chief Enahoro: Mr Speaker, a charge has been made against us that we have not made adequate provision of time for the discussion of this Motion. As hon. Members are aware, this charge has never been made in this House. We have always tried to give time, and we have spent the whole day on this Motion. There are twenty-nine Members on the other side of the House. If the Opposition.....(*interruption*).....according to Members supporting the Government.....(*interruptions*).

Question proposed.

Question put and negatived.

ADJOURNMENT

Chief Enahoro: I beg to move that the House do now adjourn, and in doing so may I say that it is proposed to re-convene the House in the first week in December.

Question proposed.

Cap Guns: Prosecution of Owners

Mr A. E. O. Isedeh: Mr Speaker, Sir, I shall be grateful if the Minister of Home and Midwest Affairs will explain to this honourable House according to what Ordinance the Local Government Police in Benin Division is dealing with the prosecution of people in possession of cap guns. There has been no indication to the public as to what Ordinance they are contravening. Nine men from Agbor in Ika District Council area were recently charged to a Local Government Court at Abudu for being in possession of cap

guns. I went to see the corporal in charge of the Abudu Local Government Police, who directed me to the Assistant Superintendent of Police in Benin. When I met the Assistant Superintendent of Police in Benin he told me that he would look into the amended law in order to know the position, and meanwhile I should ask the corporal to send him the case file. Later, when I returned to the corporal and delivered the message to him, he asked me to return some other day. When I went to him again I was told that the men had been charged to Court already.

Now, I feel that I should know exactly whether this Law is applicable to only one area and not the whole of Nigeria:

Chief Enahoro: What was the offence? If you will let me have the files I shall investigate. I am not sure that I follow this.

Mr Isedeh: Mr Speaker, Sir, I have already gone to Benin to see an Inspector and to ask him whether there is any law. He said he was not aware of it. But he has been prosecuting people in Benin in such instances.

Chief Enahoro: Is there any point in proceeding further with this? I say that if he will bring me the files I will see that an investigation is made.

Question again proposed.

Question put and agreed to.

House accordingly adjourned sine die at 11.45 p.m. until December 1958.

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ABBREVIATIONS:

1R, 2R, 3R= read 1st, 2nd and 3rd Time.

Com=Committee, M=Motion, Am=Amendment, Q=Question.

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