

MINUTES of a MEETING
OF THE
LEGISLATIVE COUNCIL

Held in the Council Chamber, Lagos, on
31st January, 1929, at 10 a.m.

Pursuant to Notice the Honourable the Members of
the Legislative Council met at the Council Chamber,
Lagos, at 10. A.M. on Thursday the 31st January.

PRESENT:—

- The Officer Administering the Government,
His Excellency Sir Frank Baddeley, Kt., C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable Mr. D. Kingdon, K.C.
- The Lieutenant-Governor, Northern Provinces,
His Honour Mr. H. R. Palmer, C.M.G., C.B.E.
- The Acting Lieutenant-Governor, Southern Provinces,
His Honour Captain W. Buchanan Smith, M.C.
- The Acting Attorney-General,
The Honourable Mr. J. C. Howard.
- The Commandant,
The Honourable Colonel W. B. Greenwell, D.S.O.
- The Acting Director of Medical and Sanitary Service,
The Honourable Dr. G. J. Pirie.
- The Treasurer,
The Honourable Mr. C. W. Leese.
- The Director of Marine,
The Honourable Captain R. H. W. Hughes, C.B., C.S.I.,
C.M.G., D.S.O., R.D., R.N.R.
- The Comptroller of Customs,
The Honourable Mr. F. A. Clinch.
- The Acting Secretary for Native Affairs,
The Honourable Mr. W. Morgan.
- The Senior Resident, Niger Province,
The Honourable Mr. J. C. C. P. Sciortino.
- The Senior Resident, Plateau Province,
The Honourable Capt. P. Lonsdale.
- The Senior Resident, Zaria Province,
The Honourable Mr. E. H. B. Laing.
- The Resident, Calabar Province,
The Honourable Mr. E. M. Falk.
- The Resident, Abeokuta Province,
The Honourable Mr. F. B. Adams.
- The Acting Deputy Chief Secretary,
The Honourable Mr. W. E. Hunt.
- The Acting Secretary, Southern Provinces,
The Honourable Mr. H. B. Butler.
- The Acting Administrator,
The Honourable Mr. G. H. Findlay.
- The General Manager of the Railway,
The Honourable Mr. E. M. Bland, C.M.G.,
- The Acting Director of Public Works,
The Honourable Mr. F. D. Evans.
- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.
- The Honourable Lieut.-Col. R. H. Rowe, D.S.O., M.C.,
Commissioner of Lands.
- The Honourable Mr. G. B. Hebden,
Acting Postmaster-General.
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.

THE COMPANIES (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Senior Resident, Niger Province, a Bill entitled "The Companies (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Senior Resident, Niger Province, the Bill was read a third time and passed.

THE LEGITIMACY ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Second Lagos Member, a Bill entitled "The Legitimacy Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with one amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Senior Resident, Oyo Province, the Bill was read a third time and passed.

THE ELECTRICITY ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Public Works, a Bill entitled "The Electricity Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with two amendments, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Public Works, the Bill was read a third time and passed.

THE 1928-29 SUPPLEMENTARY SUPPLY ORDINANCE, 1929.

On the motion of the Honourable the Chief Secretary to the Government, seconded by the Honourable the Treasurer, a Bill entitled "The 1928-29 Supplementary Supply Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Chief Secretary to the Government, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

THE LOAN ORDINANCE, 1929.

The Honourable the Chief Secretary to the Government moved the second reading of a Bill entitled "The Loan Ordinance, 1929."

The Council adjourned at 12.40 p.m.

The Council resumed at 2.30 p.m.

The Honourable the Treasurer having seconded the second reading of a Bill entitled "The Loan Ordinance, 1929," the Bill was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Chief Secretary to the Government, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

Before the adjournment, Honourable Members expressed themselves as being generally in favour of three meetings of the Council being held each session at the end of January, June and September approximately.

His Excellency thereupon stated that arrangements would be made accordingly in the future, and added that when possible the exact date of each meeting would be arranged as heretofore, to enable the South Coast Members to utilise shipping services.

ADJOURNMENT.

The Council adjourned sine die.

THE EDUCATION (COLONY AND SOUTHERN PROVINCES) (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Education, a Bill entitled "The Education (Colony and Southern Provinces) (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Education, the Bill was read a third time and passed.

THE MINERALS (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Secretary, Northern Provinces, a Bill entitled "The Minerals (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with one amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Secretary, Northern Provinces, the Bill was read a third time and passed.

THE POISONS AND PHARMACY (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of the Medical and Sanitary Service, a Bill entitled "The Poisons and Pharmacy (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of the Medical and Sanitary Service, the Bill was read a third time and passed.

THE WIDOWS' AND ORPHANS' PENSION (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, a Bill entitled "The Widows' and Orphans' Pension (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Senior Resident, Onitsha Province, a Bill entitled "The Wild Animals Preservation (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Senior Resident, Onitsha Province, the Bill was read a third time and passed.

THE WATERWORKS (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Public Works, a Bill entitled "The Waterworks (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with six amendments, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Public Works, the Bill was read a third time and passed.

THE SALES BY AUCTION (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Acting Administrator of the Colony, a Bill entitled "The Sales by Auction (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with one amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Acting Administrator of the Colony, the Bill was read a third time and passed.

THE BRITISH CAMEROONS (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Commissioner of Lands, a Bill entitled "The British Cameroons (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Commissioner of Lands, the Bill was read a third time and passed.

THE LIQUOR (AMENDMENT No. 2) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Agriculture, a Bill entitled "The Liquor (Amendment No. 2) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Agriculture, the Bill was read a third time and passed.

THE MAINTENANCE ORDERS (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, a Bill entitled "The Maintenance Orders (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

THE PUBLIC OFFICERS' GUARANTEE FUND (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, a Bill entitled "The Public Officers' Guarantee Fund (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

THE REGISTRATION OF BUSINESS NAMES (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Deputy Chief Secretary to the Government, a Bill entitled "The Registration of Business Names (Amendment) Ordinance, 1929" was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Deputy Chief Secretary to the Government, the Bill was read a third time and passed.

RESOLUTIONS.

On the motion of the Honourable the Chief Secretary to the Government, seconded by the Honourable the Treasurer, the following resolution was carried:—

- “ Be it resolved: That, this Council approves the expenditure of £245,312 as detailed in the Supplementary Estimates for 1928-29 and £661,948 as detailed in the Supplementary Estimates for 1929-30 which were laid on the table at the last meeting of this Council and passed by the Finance Committee on the 28th of September, 1929.”

BILLS.

THE BURNS PENSION ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, a Bill entitled “ The Burns Pension Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

THE IMMIGRATION RESTRICTION (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Postmaster-General, a Bill entitled “ The Immigration Restriction (Amendment) Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Postmaster-General, the Bill was read a third time and passed.

THE BRITISH CURRENCY NOTES (REPEAL) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, a Bill entitled “ The British Currency Notes (Repeal) Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

THE LAND AND NATIVE RIGHTS (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Secretary for Native Affairs, a Bill entitled “ The Land and Native Rights (Amendment) Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Secretary for Native Affairs, the Bill was read a third time and passed.

THE QUARANTINE (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Medical and Sanitary Service, a Bill entitled “ The Quarantine (Amendment) Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with one amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of the Medical and Sanitary Service, the Bill was read a third time and passed.

The creeks in the Sudd Region connecting Lagos with
Benin River.
Lekki Flats.
Palaver Island Bar.
Ibu River.
Ominla River.

(ii) *Niger Division.*—

River Niger, main river.
Benue River.
N'doni Creek.
Omerun Creek.
Anambra River.
Akassa Cut and Onya Crossing.
Sagbama Creek.
Nun Branch of Niger River.
Ogba Creek.
Ethiope River.
Warri-Koko Creek Route.
Kiaghoda River.
Ugudu Creek.
Warri Creek.
Asseh Creek.
Inyi Creek.
Ihimi River.
Ajenbi Creek.
Patani Creek.
Ogrugru Creek.
Agberi Creek.

(iii) *Port Harcourt Division.*—

Orashi River.
Imo River.
Azumini River.
Sombriero River.
Engenni River.
Nemba Creek.
Akassa-Degema Creek Route.
Saka Creek.

(iv) *Calabar Division.*—

Qua Ibo River.
Enyong Creek.
Bansara River.
Cross River.
Calabar River.
Awa Creek.
Obium Creek.
Ikpa Creek.
Ewayon River.
N'fuma Creek.

(v) *Cameroons Division.*

Mungo River.
Meme River.

The amount of work done in the above varies of course; some have received attention each year, some have only been cleared once. A total sum of £13,775 has been spent on these waterways in the three and a half years under review. Details of the work carried out and the expenditure thereon will be found in the chapter on Clearing of Waterways in the various Marine Annual Reports.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

30. To ask whether the Government does not consider it is time to introduce some form of bankruptcy laws into this Colony in face of the fact that there already exists a Company Ordinance?

THE HON. THE ACTING ATTORNEY-GENERAL:—

Government does not consider such legislation necessary or desirable. When representations based on facts showing that the legislation is required are received they will receive proper consideration.

THE HON. THE GENERAL MANAGER OF THE RAILWAY:—

The reply to the first part of the question is in the negative.

(b) The second part of the question does not therefore arise.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

29. In view of the hue and cry intermittently raised in some quarters abroad about "speeding up" the economic development of the tropics, and the agitation of a section of the commercial world in Great Britain over a possible menace to the palm industry of West Africa, to ask what steps have been taken by Government, since the visit in February, 1926, of the Honourable W. G. A. Ormsby-Gore, M.P., Under-Secretary of State for the Colonies, in connection with the problem of providing increased transport facilities:—

- (a) How many miles of motor roads have been constructed throughout Nigeria since 1926, and what is the total mileage of such roads up to date?
- (b) How many miles of railway have been added since 1926 to the existing system of the Nigerian Railway, Eastern and Western Divisions, and what is the total number of miles on the Nigerian Railway to-day available for the transportation of goods and passengers?
- (c) How many creeks of navigable depths for small motor crafts, barges, and canoes have been opened up, or cleared of sudd, since 1926 for navigation with the view of providing river transport facilities through the Lagos lagoon, for the produce trade in the large numbers of markets located at the mouth or on the banks of the several rivers and creeks which are tributary to the Lagos lagoon and Niger Delta?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

(a) A special staff of European Engineers was recruited in connection with a road development programme initiated by His Excellency. The present strength of the staff is:—

Engineers ...	20.
Foremen ...	14.

Work carried out since 1926 comprises:—

Road Survey ...	1,800 miles.
New Construction	650 ..

Bridges constructed, including replacements of old timber bridges, number 145 (to December, 1928) with a total length of 8,100 feet, the largest being the Wudil Bridge over the Challawa River having a length of 900 feet.

The total length of motor roads maintained by the Public Works Department is about 3,600 miles. In addition, the mileage of all-season and dry-season motorable roads maintained by the Native Administrations is returned as 5,000 miles and 6,000 miles respectively. Information as to the mileage of these roads completed since 1926 is not available.

(b) A vigorous Railway survey policy has been prosecuted and various lines investigated. The construction of the following branches has been carried on:—

Zaria-Kaura Namoda ...	137 miles.
Kano-N'guru ...	144 ..
Ifo-Idogo ...	24 ..

On October 1st next the Nigerian Railway will have been increased since 1926, by 519 miles and the total length open for the carriage of public traffic will be 1,786 miles.

(c) Commencing with the waterway clearing season at the end of 1926, the following creeks and rivers have since been cleared of obstructions to navigation:—

(i) *Western Division.*—

Talita River.
Oluwa River.
Siluko River.

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

The honourable Member is referred to the reply to his previous question.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

26. Pursuant to the reply of the Honourable the Chief Secretary to the Government given to this Honourable Board on the 1st day of February last in answer to question No. 1, page 47 of the Debates, to ask what form did the contravention of General Order No. 27 take in this instance?

(b) If the two European officers found guilty were allowed, without Government knowledge, to retain certain monies derived from private work undertaken during official hours or otherwise, will Government kindly state what percentage, if any, of such monies were paid to the Africans who were engaged on such private work?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

(a) The officers contravened General Order 27 in that they rendered professional assistance to private persons without obtaining the written permission of Government to do so.

(b) The transactions under reference having been irregular there is no record of the exact amounts paid to the African staff. It was understood before the Commission of Enquiry, however, that members of the African Staff received payment for overtime in respect of the work done.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

27. To ask how far the new Carter Bridge work has progressed and how much money has been spent to date on:—

(a) The actual bridge work?

(b) Salaries?

(c) Materials?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

All work in regard to stackyards, temporary stagings, erection of plant and other preliminary work has been completed.

The contract for the steelwork has been placed and the first consignment is now arriving.

The piled foundation to the Lagos approach and abutment is in course of being laid.

The screwing of the first row of the bridge piles at the Iddo end should be commenced shortly.

The expenditure is as follows:—

(a) Bridge work	£
(b) Salaries, European and African	1,776
(c) Materials	3,100
	91,986

up to the end of August, 1929. In addition there is the amount of £3,041 representing the Consulting Engineers' and the Crown Agents' fees and commission.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

28. To ask whether Government will inform this honourable Board if any steps have been taken, in consideration of the suggested extension of the Western Division of the Nigerian Railway, towards carrying out a branch line of the Railway from Ikeja to Isheri, Ikorodu, Shagamu, Ijebu Ode, and Ondo, in order to tap some of the richest palm districts in Nigeria, whose produce is literally running to waste through lack of adequate transport facilities? If so,

(b) Whether Government will make a statement to this honourable Board giving details of what has been done and how far the work of such necessary extension has been carried?

The value of furniture in the quarters is estimated at £23,752.

The figures do not include quarters built by the Lagos Town Council, occupied by Town Council officers.

In addition thirteen officers are occupying temporary bush quarters.

(b) (c) (d) and (e) Two quarters, occupied by officers of the Medical Department, and two quarters occupied by officers of the Public Works Department, are provided with water closet systems, discharging into septic tanks, from which the effluent is dispersed into the sandy subsoil in close proximity to the quarters.

The systems were installed, following experience in similar residential areas in other countries and after consultation between the Medical and Public Works Departments, to demonstrate the method of disposal and as an experiment only.

One building, now in course of erection, is being provided with a similar system.

Government has approved the provision of similar installations where practicable and suitable, and provided that no additional expenditure is thereby involved.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

23 Pursuant to the reply of the Honourable the Chief Secretary to the Government given to this Honourable Board on the 20th of October, 1925, to question 82, page 36 of the Debates, as to whether there is any Treaty existing and in force at the present time between His Majesty's Government and any of the predecessors of the late King Docemo of Lagos, to ask whether Government is now in a position to lay such document or documents, if existing, on the table of this Honourable Board?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

No treaty between His Majesty's Government and any predecessor of King Docemo exists.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

24. To ask whether the serious question of unemployment in this country has been brought to the notice of the Government? And if so,

(b) To ask whether Government will kindly make a statement as to what steps, if any, are being taken in the matter?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

The Government is not aware of the existence of any general condition of unemployment in Nigeria.

(b) In regard to local unemployment at Lagos, the honourable Member is referred to the honourable the Acting Administrator's reply to question No. 24 which was put by the honourable the Third Lagos Member at the meeting on the 28th of September.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

25. In view of the growing menace of unemployment, and the fact that a large number of workmen are unable to get employed in order to earn an honest livelihood, to ask whether Government will be graciously pleased to consider, seriously, the advisability of directing the Public Works Department, the Lagos Town Council, and other Government Departments undertaking public works, to suspend for some time the giving out of such works by contract, which naturally throws a large proportion of profit into one pocket, and to engage workmen in the various trades, by day, to carry out such works, under competent supervision, in order to distribute public funds more evenly among the working class?

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

20. To ask whether the payment of Head, or Poll, Tax in the Northern and Southern Provinces of Nigeria is made to extend to European, Asiatic and American residents therein? If not,

(b) To ask why not?

THE HON. THE SECRETARY FOR NATIVE AFFAIRS:—

The answer to the first part of the question is in the negative.

(b) As to the second part, the honourable Member does not specify under which Ordinance or provision of the law it is suggested that head or poll tax should be collected from the persons mentioned in the first part of the question. If, as is presumed, he is referring to the Native Revenue Ordinance he will find on a perusal of the title of this enactment that it regulates the levying and collection of revenue from native sources and that there is in it no provision for extending this taxation to the persons to whom reference has been made.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

21. Pursuant to the reply of the Honourable the Secretary, Southern Provinces, given to this Honourable Board on the 11th of February, 1924, that the Marine Department "pumped sand into the Oke Suna Swamp, filling up 15½ acres, and also raised the level of the Alakoro and Elegbata Districts, but this work was not completed," to ask whether anything has been done in these two areas within the last five and a half years to bring both areas into conformity with the required standard? If not,

(b) To ask how many acres remain unreclaimed in each of the two areas, and how soon will the whole reclamation be completed?

THE HON. LIEUT.-COL. R. H. ROWE (COMMISSIONER OF LANDS):—

Since the work mentioned by the honourable Member was done at the Oke Suna lagoon further good progress with reclamation has been made continuously by the Town Council. Forty-five acres now remain to be reclaimed at Oke Suna and the final completion of this will be undertaken by the Lagos Executive Development Board when more immediately urgent work has been dealt with. As regards the Alakoro lagoon, the reclamation of this has been completed by the Marine Department. The utmost care is being taken during this work to avoid unnecessary damage or inconvenience to surrounding properties. The raising of the level of the neighbouring areas involves engineering problems of some magnitude owing to the general low level and difficulties of drainage in Lagos island. These matters are having the full and detailed consideration of the Lagos Executive Development Board.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

22. To ask what is the total number of officers that accommodation has been provided for at Ikoyi up to date, and what is the total amount spent up to date on:—

- (i) The buildings for such officers? and
- (ii) Furniture?

(b) Whether any of these buildings are provided with up-to-date sewerage system flushing into the Ikoyi Lagoon? If so,

(c) How many such buildings there are, and who are the officers occupying them?

(d) Whether the system was specifically approved of by the Government in these instances? And

(e) Why was such approval limited to these buildings only?

THE HON. THE DIRECTOR OF PUBLIC WORKS:—

(a) Approximately 140 officers are occupying permanent and semi-permanent quarters at Ikoyi.

The total expenditure on these quarters to date—cost of construction and additions—is recorded as £318,384.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

17. To ask whether there has not been considerable dissatisfaction among the African staff of the Survey Department within the last two or three years?

(b) Whether that dissatisfaction has not been the cause of the resignation of Messrs. Aiyedun and Craig, African Surveyors of over eighteen years' record of excellent service, and the consequent loss of their pension rights? If not,

(c) To ask whether Government is in a position to give an indication of the cause, or causes, of the resignation of these two long-service and senior officers?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

Government is not aware that there has been considerable dissatisfaction.

(b) The answer is in the negative.

(c) Mr. Aiyede resigned for personal and family reasons and is now practising as a licensed surveyor.

Mr. Craig experienced indifferent health for some considerable time and was the subject of a Medical Board, at his own request. The Board were unable to recommend his invaliding out of the Service and he resigned. He is now practising as a licensed surveyor.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

18. To ask whether the appointments rendered vacant by the resignation of Messrs. Aiyedun and Craig have since been filled? If so,

(b) To ask for the names of the officers appointed thereto? And if not,

(c) To ask for a statement of the reason, or reasons, wherefor?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

No. The appointments have not been filled.

(b) In view of the answer to (a) does not arise.

(c) There is at present no junior officer in the Department of sufficient experience or seniority to warrant such promotion.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

19. To ask whether the principal African Draughtsmen of the Survey Department have hitherto not given entire satisfaction here and elsewhere to the various Heads of the Department? If they have,

(b) To ask whether Government is in a position to give an indication of the reason, or reasons, for adding a European Draughtsman to the staff of that Department?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

With the recent expansion of the Department and the development of the Lithographic Section, which necessitated improvement in quality and output, the principal African Draughtsmen were found to be incapable of dealing with the situation and altered conditions.

(b) European Draughtsmen have been engaged to ensure that the most modern methods in drawing, lithographic preparation and office organisation, will be taught to a largely increased junior African staff, and so minimise the possibility of a similar situation in future years.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

13. What was the total cost of the machinery necessary to the collection of income tax including:—

(a) Salaries, allowances, passages, pension fund commitments, rental value of residences erected by Government and paid for out of Government funds, of all officers, both European and African, who were either appointed or concerned in the collection of the tax?

(b) Cost of temporary buildings, telephones, electric light and power, and water?

(c) Cost of stationery, printing and sundries, postages?

(d) Cost of prosecutions (if any) to enforce payment?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

(a) The total amounts to £2,961 13s. 6d.

(b) One temporary office with light, power, water, and telephone cost £984.

(c) £466.

(d) £131 6s.

The honourable Member is referred to the details of taxation contained in Sessional Paper No. 20 of 1929—Annual Report on the Colony for the year 1928.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

14. What was the loss to revenue by the repeal of the duties on food?

THE HON. THE ACTING CONTROLLER OF CUSTOMS:—

The sum received from Customs duties on foodstuffs in 1927 was roughly £150,000 and as an offset against the loss of this revenue, when the duties were repealed increased rates were imposed on spirits and tobacco, which are calculated to yield an equivalent sum.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

15. To ask for an indication of the circumstances which led to the dismissal, or termination of appointment, of Mr. S. N. Mazelli, First Class Clerk, Survey Department? And

(b) To ask whether the whole correspondence in relation to the case may not be laid on the table of this Honourable Council?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

Mr. S. N. Mazelli's appointment was terminated under Colonial Regulations on account of his insubordination, and contravention of General Orders.

(b) Government considers that no useful purpose will be served by doing so.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

16. To ask what were the circumstances which resulted in the termination of appointment, or dismissal, of Mr. C. R. Craney, European Storekeeper, Survey Department, and his hurried departure from the Colony? And

(b) To ask whether the whole correspondence relative thereto may not be laid on the table of this Honourable Board?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

Mr. Craney was not dismissed. His appointment was terminated in circumstances which Government sees no reason to disclose.

(b) Government considers that no useful purpose will be served by doing so.

THE HON. MR. E. R. J. HUSSEY (DIRECTOR OF EDUCATION):—
The matter referred to is already under consideration.

THE HON. THE SECOND LAGOS MEMBER (MR. E. O. MOORE):—

6. How many of the Government Departments have Technical Schools attached thereto and whether there has been any difficulty in getting pupils for these schools?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

The following Government Departments maintain Technical Schools or make definite arrangements for the training of Africans in technical work:—

The Agriculture, Forestry, Marine, Medical, Posts and Telegraphs, Public Works, Railway and Survey Departments.

In the cases of the majority of these departments there has been no difficulty in obtaining pupils, except at Zaria where the Railway Department finds that the number of English-speaking applicants is limited. The Posts and Telegraphs and the Survey Department, however, experience difficulty in obtaining pupils with the necessary educational qualifications.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

7. To ask how many male persons were liable for income tax during the financial year ending 31st March, last?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

53,553 persons.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

8. How many male persons paid income tax during the financial year ending 31st March last, and what was the total amount of the payments made by them?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

53,335 persons paid £23,182 3s.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

9. What amount is outstanding, if any, and what steps are being taken to enforce payment?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

£23 is outstanding in respect of tax due from six Europeans at present on leave. It is hoped that this amount will be collected when they return. £82 6s. has been collected during 1929-30 on account of tax due by Africans in 1928-29. In the event of it being discovered that further sums are outstanding for tax due in 1928-29 steps will be taken to enforce payment.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

10. From how many Europeans was the tax collected and what was the total amount of their payments?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

800 Europeans paid £3,986 11s.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

11. If any Europeans liable to the tax have not paid and if so how many and what is the amount outstanding?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

The honourable Member is referred to the reply given to his question No. 9.

THE HON. THE BANKING MEMBER (MR. L. M. HERAPATH):—

12. How many fresh appointments have been made in connection with the necessary staff, either whole time or part time?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

One European and fifty-two African clerks and collectors.

MINUTES.

The minutes of the meeting of the 28th September, 1929, having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS.

THE HON. THE SECOND LAGOS MEMBER (MR. E. O. MOORE):—

1. To ask whether the attention of the Administrator of the Colony has been drawn to the report recently published in the local newspapers to the effect that a "Native Court" has been functioning at Iga Idunganran and whether he has made enquiries as to whether there is any foundation for the report?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

The honourable Member is referred to my reply given to question No. 46 at the meeting of this Council held on Saturday last the 28th instant.

THE HON. THE SECOND LAGOS MEMBER (MR. E. O. MOORE):—

2. Whether in view of the alarming turn which the question of unemployment has taken in Lagos more especially as affecting:—

(i) Native traders who have been ousted from the district markets by the ingress of the big firms.

(ii) Clerks whose services are being rapidly and largely dispensed with owing to the merger of most of the principal trading firms in Nigeria.

(iii) Mechanics whose scope of employment is being seriously curtailed.

Government will not reconsider its attitude as indicated in the reply of the Honourable the Acting Chief Secretary to the Government to a question put by me at the meeting of the Legislative Council held on the 26th day of November, 1928, more particularly as that reply dealt only with the floating population?

(b) Whether as a preliminary measure Government will not consider the advisability of establishing a Bureau for the registration of the unemployed?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

The honourable Member is referred to my reply given to question No. 24 at the meeting of this Council held on Saturday last the 28th instant.

THE HON. THE SECOND LAGOS MEMBER (MR. E. O. MOORE):—

3. Whether the contractors responsible for the construction of the new Carter Bridge are limited to any definite period of time within which to complete the contract and what is the revised estimated cost thereof?

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT:—

The construction of the new Carter Bridge is being carried out departmentally and not by contract. The estimated cost of the bridge is £505,030.

THE HON. THE SECOND LAGOS MEMBER (MR. E. O. MOORE):—

4. What progress (if any) has been made with the Lagos Town Planning Scheme?

THE HON. LIEUT.-COL. R. H. ROWE (COMMISSIONER OF LANDS):—

The honourable Member is referred to the answers given on Saturday to questions Nos. 23 and 50. It may be added that the Board has also given much consideration to questions of reclamation, the improvement of slaughter houses and their situation, details of surface drainage and a large number of matters involved in the re-planning of Lagos. It is not possible to give details of all this work by means of question and answer, but if the honourable Member will call at the office of the Board as much information as possible will be given him.

THE HON. THE SECOND LAGOS MEMBER (MR. E. O. MOORE):—

5. Whether the Director of Education will not consider at an early date the advisability of making the Board of Education a more representative body than at present?

- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.
- The Honourable Lieut.-Col. R. H. Rowe, D.S.O., M.C.
The Commissioner of Lands,
- The Honourable Mr. G. B. Hebden,
The Postmaster-General.
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.
- The Member for the Colony Division,
The Honourable Sir Kitoyi Ajasa, Kt., O.B.E.
- The Mining Member,
The Honourable Mr. A. L. Butler.
- The Second Lagos Member,
The Honourable Mr. E. O. Moore.
- The Member Representing the Niger African Traders,
The Honourable Mr. S. C. Obianwu.
- The Member for the Egba Division,
The Honourable Mr. S. H. Pearse,
- The Member for the Oyo Division,
The Honourable Mr. E. H. Oke.
- The Commercial Member for Kano,
The Honourable Mr. J. W. Speer.
- The Member for Shipping,
The Honourable Mr. H. S. Feggetter.
- The Third Lagos Member,
The Honourable Mr. T. A. Doherty.
- The Banking Member,
The Honourable Mr. L. M. Herapath.
- The Commercial Member for Lagos (Provisional.)
The Honourable Mr. J. F. Winter.

ABSENT.

- The Senior Resident, Cameroons Province,
The Honourable Mr. E. J. Arnett, C.M.G.
- The Senior Resident, Adamawa Province,
The Honourable Mr. G. W. Webster, M.B.E.
- The Senior Resident, Plateau Province,
The Honourable Capt. P. Lonsdale.
- The Senior Resident, Calabar Province,
The Honourable Mr. E. M. Falk.
- The Senior Resident, Bauchi Province,
The Honourable Mr. H. H. Middleton.
- The Secretary, Southern Provinces,
The Honourable Major C. T. Lawrence, O.B.E.
- The Member for the Ibo Division,
The Honourable Mr. I. O. Mba.
- The Commercial Member for Calabar,
The Honourable Mr. G. Graham Paul.
- The Member for the Rivers Division,
The Honourable Mr. Mark Pepple Jaja.
- The Commercial Member for Lagos,
The Honourable Mr. R. F. Irving.
- The Member for the Warri-Benin Division,
The Honourable Mr. I. T. Palmer.
- The Member for Calabar,
The Honourable Mr. C. W. Clinton.
- The Commercial Member for Port Harcourt,
The Honourable Mr. L. White.

MINUTES of a MEETING
OF THE
LEGISLATIVE COUNCIL

Held in the Council Chamber, Lagos, on
28th September, 1929, at 10 a.m.

Pursuant to notice the Honourable the Members of
the Legislative Council met in the Council Chamber,
at 10 A.M. on Saturday, the 28th September, 1929.

PRESENT :—

- His Excellency The Governor,
Sir Graeme Thomson, G.C.M.G., K.C.B.
- The Chief Secretary to the Government,
Sir Frank Baddeley, Kt., C.M.G.
- The Lieutenant-Governor, Northern Provinces,
His Honour Mr. H. R. Palmer, C.M.G., C.B.E.
- The Lieutenant-Governor, Southern Provinces,
His Honour Mr. C. W. Alexander, C.M.G.
- The Acting Attorney-General,
The Honourable Mr. J. C. Howard,
- The Acting Commaniant,
The Honourable Lt.-Col. G. T. Burney, M.C.
- The Director of Medical and Sanitary Service,
The Honourable Mr. W. B. Johnson,
- The Treasurer,
The Honourable Mr. C. W. Leese.
- The Director of Marine,
The Honourable Captain R. H. W. Hughes, C.B., C.S.I.,
C.M.G., D.S.O., R.D., R.N.R.
- The Acting Comptroller of Customs,
The Honourable Mr. W. K. Duncombe,
- The Honourable Mr. E. R. J. Hussey,
The Director of Education,
- The Secretary for Native Affairs,
The Honourable Mr. G. S. Browne,
- The Senior Resident, Oyo Province,
The Honourable Captain W. A. Ross, C.M.G.
- The Senior Resident, Niger Province,
The Honourable Mr. J. C. C. P. Sciortino.
- The Senior Resident, Onitsha Province,
The Honourable Captain W. Buchanan Smith, M.C.
- The Secretary, Northern Provinces,
The Honourable Mr. G. J. Lethem,
- The Deputy Chief Secretary,
The Honourable Mr. A. C. Burns,
- The Acting Administrator,
The Honourable Mr. G. H. Findlay.
- The General Manager of the Railway,
The Honourable Mr. E. M. Bland, C.M.G.
- The Director of Public Works,
The Honourable Mr. C. L. Cox.

First Schedule.

- Head 7. Colliery.—For “ £134,330 ” read “ £130,330 ”.
- Head 9. Education, Northern Provinces.—For “ £58,312 ” read “ £58,462 ”.
- Head 16. Lieutenant-Governor's Office, Northern Provinces.—For “ £5,513 ” read “ £5,683 ”.
- Head 18. Marine.—For “ £479,720 ” read “ £479,928 ”.
- Head 19. Medical.—For “ £354,218 ” read “ £360,498 ”.
- Head 22. Miscellaneous.—For “ £175,065 ” read “ £176,790 ”.
- Head 27. Posts and Telegraphs.—For “ £276,101 ” read “ £277,381 ”.
- Head 28. Printing.—For “ £36,585 ” read “ £36,355 ”.
- Head 24. Public Works.—For “ £228,344 ” read “ £229,304 ”.
- Head 36. Public Works Extraordinary.—For “ £918,244 ” read “ £912,194 ”.
- Head 45. Surveys.—For “ £120,594 ” read “ £120,814 ”.
- Head 47. Veterinary.—For “ £50,128 ” read “ £49,984 ”.
- and the total expenditure will be £7,190,438.

Second Schedule.

(No change.)

3. In clause 1 of the Bill the words “ nine million, eight hundred and sixty-one thousand three hundred and sixty-one pounds ” should be deleted and the words “ nine million, eight hundred and sixty-one thousand, nine hundred and thirty pounds ” substituted.

4. In clause 2 of the Bill the words “ seven million, one hundred and eighty-nine thousand, eight hundred and sixty-nine pounds ” should be deleted and the words “ seven million, one hundred and ninety thousand, four hundred and thirty-eight pounds ” substituted.

DONALD KINGDON,
Chairman of Committee.

Lagos

5th February, 1929.

The Bill, amended as recommended in the Report, having passed through Committee, the Council resumed, and on the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, the Bill was read a third time and passed.

ADJOURNMENT.

The Council adjourned *sine die*.

MINUTES.

The Minutes of the meeting of the 1st February, 1929, having been printed and circulated to Honourable Members, were taken as read and confirmed.

The Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Member for the Colony Division (Sir Kitoyi Ajasa, K.T., O.B.E.), moved that an amendment to the minutes of the meeting of the 31st January, 1929, as printed and circulated to Honourable Members, be substituted for the last two paragraphs on page 30 of the minutes.

The motion was carried.

PETITIONS.

Nil.

NOTICE OF QUESTIONS AND MOTIONS.

Nil.

QUESTIONS.

Nil.

RESOLUTIONS.

The Honourable the Member for the Colony Division (Sir Kitoyi Ajasa, K.T., O.B.E.), seconded by the Honourable the Lieutenant-Governor, Northern Provinces, moved the following resolution, which was carried:—

“ Be it resolved: That, this Council desires to express to
 “ Mrs. C. L. Temple, its deep sympathy on the severe
 “ loss she has sustained by the death of her husband the
 “ late Mr. C. L. Temple, C.M.G., at one time Lieute-
 “ nant-Governor of the Northern Provinces, Nigeria,
 “ and to record its high appreciation of the valuable
 “ services he rendered to Nigeria.”

The Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer moved the following resolution which was carried.—

“ Be it resolved: That, this Council approves the
 “ expenditure of £119,114 as detailed in the Supple-
 “ mentary Estimates for 1928-29 which were laid on
 “ the table at the first meeting of this Session of the
 “ Council and passed the Finance Committee on 5th
 “ February, 1929.”

BILLS.

The following Report of the Select Committee on a Bill entitled “ An Ordinance to provide for the Service of the Colony and Protectorate of Nigeria for the year ending the thirty-first day of March, one thousand nine hundred and thirty ” was presented by the Honourable the Acting Chief Secretary to the Government, and on the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, the Council went into Committee thereon.

THE 1929-1930 SUPPLY ORDINANCE, 1929.

REPORT OF THE SPECIAL COMMITTEE OF THE LEGISLATIVE COUNCIL
 APPOINTED TO CONSIDER THE PROVISIONS OF THE 1929-1930
 SUPPLY ORDINANCE, 1929.

YOUR EXCELLENCY,

The Committee sat on the 1st, 2nd, 4th and 5th of February, 1929.

They examined each Head of the draft Estimates, and the details of the alterations which they recommend are shown in the schedule to this Report.

2. The financial effect of these recommendations is to increase the estimated expenditure for the year 1929-1930 by ten thousand nine hundred and ninety-three pounds and to decrease it by ten thousand four hundred and twenty-four pounds.

The net increase is therefore £569.

- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.
- The Honourable Lieut.-Col. R. H. Rowe, D.S.O., M.C.,
Commissioner of Lands.
- The Honourable Mr. G. B. Hebden,
Acting Postmaster-General.
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.
- The Member for the Colony Division,
The Honourable Sir Kitoyi Ajasa, Kt., O.B.E.
- The Member for the Ibo Division,
The Honourable Mr. I. O. Mba.
- The Second Lagos Member,
The Honourable Mr. E. O. Moore.
- The Member representing the Niger African Traders,
The Honourable Mr. S. C. Obianwu.
- The Commercial Member for Calabar,
The Honourable Mr. G. Graham Paul.
- The Member for the Egba Division,
The Honourable Mr. S. H. Pearse.
- The Member for the Rivers Division,
The Honourable Mr. Mark Pepple Jaja.
- The Member for the Oyo Division,
The Honourable Mr. E. H. Oke.
- The Commercial Member for Kano,
The Honourable Mr. J. W. Speer,
- The Commercial Member for Lagos,
The Honourable Mr. R. F. Irving,
- The Member for the Warri-Benin Division,
The Honourable Mr. I. T. Palmer.
- The Member for Calabar,
The Honourable Mr. C. W. Clinton.
- The Third Lagos Member,
The Honourable Mr. T. A. Doherty.
- The Banking Member,
The Honourable Mr. L. M. Herapath.
- The Member for Shipping, (Provisional)
The Honourable Mr. F. Bateman Jones.

ABSENT.

- The Senior Resident, Adamawa Province,
The Honourable Mr. G. S. Browne.
- The Senior Resident, Plateau Province,
The Honourable Capt. P. Lonsdale.
- The Senior Resident, Kano Province,
The Honourable Mr. C. W. Alexander, C.M.G.
- The Senior Resident, Zaria Province,
The Honourable Mr. E. H. B. Laing.
- The Resident, Bauchi Province,
The Honourable Mr. C. A. Woodhouse.
- The Acting Secretary, Northern Provinces,
The Honourable Mr. H. H. Middleton.
- The Resident, Adamawa Province,
The Honourable Major T. A. G. Budgen, M.C.
- The Mining Member,
The Honourable Mr. A. L. Butler.
- The Commercial Member for Port Harcourt, (Provisional)
The Honourable Mr. P. H. Davy.

MINUTES of a MEETING
OF THE
LEGISLATIVE COUNCIL

Held in the Council Chamber, Lagos, on
7th February, 1929, at 10 a.m.

Pursuant to Notice the Honourable the Members of
the Legislative Council met at the Council Chamber,
Lagos, at 10 A.M. on Thursday, the 7th February.

PRESENT.

- The Officer Administering the Government,
His Excellency Sir Frank Baddeley, Kt., C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable Mr. D. Kingdon, K.C.
- The Lieutenant-Governor, Northern Provinces,
His Honour Mr. H. R. Palmer, C.M.G., C.B.E.
- The Acting Lieutenant-Governor, Southern Provinces,
His Honour Captain W. Buchanan Smith, M.C.
- The Acting Attorney-General,
The Honourable Mr. J. C. Howard.
- The Commandant,
The Honourable Colonel W. B. Greenwell, D.S.O.
- The Acting Director of Medical and Sanitary Service,
The Honourable Dr. G. J. Pirie.
- The Treasurer,
The Honourable Mr. C. W. Leese.
- The Director of Marine,
The Honourable Captain R. H. W. Hughes, C.B., C.S.I.,
C.M.G., D.S.O., R.D., R.N.R.
- The Comptroller of Customs,
The Honourable Mr. F. A. Clinch.
- The Acting Secretary for Native Affairs,
The Honourable Mr. W. Morgan.
- The Senior Resident, Niger Province,
The Honourable Mr. J. C. C. P. Sciortino.
- The Resident, Calabar Province,
The Honourable Mr. E. M. Falk.
- The Resident, Abeokuta Province,
The Honourable Mr. F. B. Adams.
- The Acting Deputy Chief Secretary,
The Honourable Mr. W. E. Hunt.
- The Acting Secretary, Southern Provinces,
The Honourable Mr. H. B. Butler.
- The Acting Administrator,
The Honourable Mr. G. H. Findlay.
- The General Manager of the Railway,
The Honourable Mr. E. M. Bland, C.M.G.,
- The Acting Director of Public Works,
The Honourable Mr. F. D. Evans.

BILLS.

The Debate on the second reading of the 1929-30 Supply Ordinance, 1929, was continued.

Council adjourned 12.45.

The Council resumed at 2.30 p.m.

BILLS.

THE 1929-1930 SUPPLY ORDINANCE, 1929.

On the motion of His Excellency the Officer Administering the Government, seconded by the Honourable the Treasurer, a Bill entitled "An Ordinance to provide for the Service of the Colony and Protectorate of Nigeria for the year ending the thirty-first day of March, one thousand nine hundred and thirty" was read a second time.

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, a Bill entitled "An Ordinance to provide for the Service of the Colony and Protectorate of Nigeria for the year ending the thirty-first day of March, one thousand nine hundred and thirty" was referred to a Select Committee consisting of His Honour the Lieutenant-Governor, Northern Provinces, His Honour the Acting Lieutenant-Governor, Southern Provinces, the Honourable the Treasurer, and all the Unofficial Members of the Council, with the Honourable the Acting Chief Secretary to the Government as Chairman.

ADJOURNMENT.

The Council adjourned at 4.35 p.m. until 10 a.m. on 2nd February, 1929.

CAMEROONS PROVINCE:

	£	£	£
Bamenda Treasury ...	6,342	5,285	532
Kumba Treasury ...	6,233	6,651	—
Mamfe Treasury ...	5,134	3,937	461
Victoria Treasury ...	5,326	6,140	—
Total ...	£23,035	£22,013	£993

ESTIMATED REVENUE AND EXPENDITURE, 1929-30.

	Revenue.	Expenditure.
	£	£
ABEOKUTA PROVINCE:		
Egba Treasury ...	50,635	49,854
Ilaro Treasury ...	13,660	12,956
BENIN PROVINCE:		
Benin Treasury ...	19,342	19,331
Ishan Treasury ...	11,132	11,116
Kukuruku Treasury ...	8,025	7,921
Asaba Treasury ...	13,870	13,424
IJEBU PROVINCE:		
Ijebu Treasury ...	35,580	30,091
ONDO PROVINCE:		
Ondo Treasury ...	5,030	4,812
Waterside (Ondo) ...	8,950	8,903
Owo Treasury ...	10,300	9,775
Ekiti Treasury ...	16,647	15,206
OYO PROVINCE:		
Oyo Treasury ...	30,774	27,485
Ibadan Treasury ...	70,530	69,580
Ife Treasury ...	7,159	5,531
Ilesha Treasury ...	10,890	10,572
Illa Treasury ...	1,684	1,808
CAMEROONS PROVINCE:		
Bamenda Treasury ...	7,881	6,199
Kumba Treasury ...	6,857	6,090
Mamfe Treasury ...	5,612	4,546
Victoria Treasury ...	6,086	5,672
CALABAR PROVINCE:		
Calabar Treasury ...	4,375	4,169
Eket Treasury ...	11,152	8,150
Opobo Treasury ...	12,108	11,715
Ikot-Ekpene Treasury ...	12,120	8,693
Abak Treasury ...	10,660	8,836
Itu Treasury ...	3,970	3,478
Aro Treasury ...	3,500	3,367
Uyo Treasury ...	9,546	8,094
OGOJA PROVINCE:		
Ogoja Treasury ...	5,122	4,587
Obudu Treasury ...	2,037	1,902
Abakaliki Treasury ...	7,855	6,808
Afikpo Treasury ...	9,100	7,773
Obubra Treasury ...	4,885	4,380
Ikrom Treasury ...	2,410	2,294
ONITSHA PROVINCE:		
Onitsha Treasury ...	13,360	12,845
Enugu Treasury ...	9,429	8,054
Awka Treasury ...	10,610	10,608
Awgu Treasury ...	5,397	4,969
Nsukka Treasury ...	10,455	9,537
OWERRI PROVINCE:		
Owerri Treasury ...	21,418	17,092
Okigwi Treasury ...	20,900	16,641
Degema Treasury ...	3,340	3,009
Aba Treasury ...	13,550	14,792
Bende Treasury ...	11,375	10,657
Ahoada Treasury ...	20,342	17,757
Brass Treasury ...	3,904	3,337

MINUTES.

The minutes of the meeting of the 1st February, 1929, having been printed and circulated to Honourable Members, were taken as read and confirmed.

PETITIONS.

Nil.

NOTICE OF QUESTION.

Nil.

QUESTIONS.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

1. What is the total amount of revenue and expenditure of each Native Administration for the last financial year and what are the corresponding amounts in their respective Estimates for the year 1929-30?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

In view of the time of this Council that would be taken up by recounting the numerous totals involved, a written reply has been handed to Honourable Members of Council.

The amounts of revenue and expenditure asked for by the Honourable Member are as follows. It is of course, not possible to give figures for the newly-taxed Provinces as Native Administrations in these Provinces were not in existence in 1927-28.

REVENUE AND EXPENDITURE, 1927-28.

	Revenue.	Expenditure.	Special Expenditure.
	£	£	£
ABEOKUTA PROVINCE:			
Egba Treasury ...	44,253	38,203	—
Haro Treasury ...	13,178	12,858	—
Total ...	£57,431	£51,061	—
BENIN PROVINCE:			
Benin Treasury ...	18,248	15,432	1,255
Ishan Treasury ...	8,392	9,034	—
Kukuruku Treasury ...	6,891	7,658	—
Asaba Treasury ...	14,001	10,855	—
Total ...	£47,532	£42,979	£1,255
IJEBU PROVINCE:			
Ijebu Treasury ...	21,399	18,389	13,677
ONDO PROVINCE:			
Ondo Treasury ...	4,438	4,103	780
Waterside Treasury ...	8,389	6,178	300
Owo Treasury ...	8,455	7,313	774
Ekiti Treasury ...	17,982	14,167	2,626
Total ...	£39,264	£31,761	£4,480
OYO PROVINCE:			
Oyo Treasury ...	24,311	20,033	7,303
Ibadan Treasury ...	66,311	52,770	9,544
Ife Treasury ...	5,865	4,426	—
Ilesha Treasury ...	7,700	5,740	175
Illa Treasury ...	1,502	1,458	—
Total ...	£105,689	£84,427	£17,022

- The General Manager of the Railway,
The Honourable Mr. E. M. Bland, C.M.G.
- The Acting Director of Public Works,
The Honourable M. F. D. Evans.
- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.
- The Honourable Lieut.-Col. R. H. Rowe, D.S.O., M.C.
The Commissioner of Lands,
- The Honourable Mr. G. B. Hebden,
Acting Postmaster-General,
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.
- The Member for the Colony Division,
The Honourable Sir Kitoyi Ajasa, Kt., O.B.E.
- The Member for the Ibo Division,
The Honourable Mr. I. O. Mba.
- The Second Lagos Member,
The Honourable Mr. E. O. Moore.
- The Member Representing the Niger African Traders,
The Honourable Mr. S. C. Obianwu.
- The Commercial Member for Calabar,
The Honourable Mr. G. Graham Paul.
- The Member for the Egba Division,
The Honourable Mr. S. H. Pearse,
- The Member for the Rivers Division,
The Honourable Mr. Mark Pepple Jaja.
- The Member for the Oyo Division,
The Honourable Mr. E. H. Oke.
- The Commercial Member for Kano,
The Honourable Mr. J. W. Speer.
- The Commercial Member for Lagos,
The Honourable Mr. R. F. Irving.
- The Member for the Warri-Benin Division,
The Honourable Mr. I. T. Palmer.
- The Member for Calabar,
The Honourable Mr. C. W. Clinton.
- The Third Lagos Member,
The Honourable Mr. T. A. Doherty.
- The Banking Member,
The Honourable Mr. L. M. Herapath.
- The Member for Shipping, (Provisional)
The Honourable Mr. F. Bateman Jones.

ABSENT.

- The Senior Resident, Adamawa Province,
The Honourable Mr. G. S. Browne
- The Senior Resident, Kano Province,
The Honourable Mr. C. W. Alexander, C.M.G.
- The Resident, Bauchi Province,
The Honourable Mr. C. A. Woodhouse.
- The Acting Secretary, Northern Provinces,
The Honourable Mr. H. H. Middleton.
- The Resident, Adamawa Province,
The Honourable Major T. A. G. Budgen, M.C.
- The Mining Member,
The Honourable Mr. A. L. Butler.
- The Commercial Member for Port Harcourt, (Provisional)
The Honourable Mr. P. H. Davy.

MINUTES of a MEETING
OF THE
LEGISLATIVE COUNCIL

Held in the Council Chamber, Lagos, on
2nd February, 1929, at 10 a.m.

Pursuant to notice the Honourable the Members of
the Legislative Council met in the Council Chamber,
Lagos, at 10 A.M. on Saturday the 2nd February.

PRESENT:—

- The Officer Administering the Government,
His Excellency Sir Frank Baddeley, Kt., C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable Mr. D. Kingdon, K.C.
- The Lieutenant-Governor, Northern Provinces,
His Honour Mr. H. R. Palmer, C.M.G., C.B.E.
- The Acting Lieutenant-Governor, Southern Provinces,
His Honour Captain W. Buchanan Smith, M.C.
- The Acting Attorney-General,
The Honourable Mr. J. C. Howard,
- The Commaniant,
The Honourable Col. W. B. Greenwell, D.S.O.
- The Acting Director of Medical and Sanitary Service,
The Honourable Dr. G. J. Pirie.
- The Treasurer,
The Honourable Mr. C. W. Leese.
- The Director of Marine,
The Honourable Captain R. H. W. Hughes, C.B., C.S.I.,
C.M.G., D.S.O., R.D., R.N.R.
- The Comptroller of Customs,
The Honourable Mr. F. A. Clinch.
- The Acting Secretary for Native Affairs,
The Honourable Mr. W. Morgan.
- The Senior Resident, Niger Province,
The Honourable Mr. J. C. C. P. Sciortino.
- The Senior Resident, Plateau Province,
The Honourable Capt. P. Lonsdale.
- The Senior Resident, Zaria Province,
The Honourable Mr. E. H. Lairg.
- The Resident Calabar Province,
The Honourable Mr. E. M. Falk.
- The Resident, Abeokuta Province,
The Honourable Mr. F. B. Adams.
- The Acting Deputy Chief Secretary,
The Honourable Mr. W. E. Hunt.
- The Acting Secretary, Southern Provinces,
The Honourable Mr. H. B. Butler.
- The Acting Administrator,
The Honourable Mr. G. H. Findlay.

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

The matter will be put before the Communications Board as soon as investigations as to the feasibility of the suggestion have been made.

RESOLUTION.

On the motion of the Honourable the Commercial Member for Lagos (Mr. R. F. Irving), seconded by the Honourable the Commercial Member for Calabar (Mr. G. Graham Paul), the following resolution was carried:—

“ Be it resolved: That, this Council views with concern the
 “ heavy expenditure to which the Government of
 “ Nigeria is committed and considers that more
 “ economy is called for.”

BILLS.

THE LABOUR ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Acting Deputy Chief Secretary to the Government, a Bill entitled “ An Ordinance to provide a Labour Code for Nigeria, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee with three amendments, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Acting Deputy Chief Secretary to the Government, the Bill was read a third time and passed.

THE SHIPPING AND NAVIGATION (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Marine, a Bill entitled “ The Shipping and Navigation (Amendment) Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Marine, the Bill was read a third time and passed.

THE LIQUOR (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Comptroller of Customs, a Bill entitled “ The Liquor (Amendment) Ordinance, 1929 ” was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Comptroller of Customs, the Bill was read a third time and passed.

THE LEGITIMACY ORDINANCE, 1929.

On the motion of the Honourable the Commercial Member for Lagos (Mr. R. F. Irving), consideration of the Bill was, with the permission of the Council, postponed until a subsequent meeting of the Council.

ADJOURNMENT.

The Council adjourned at 11 a.m. until a time and date to be notified.

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

Tar metalling and other improved methods of road construction and maintenance are being experimented with in the Eastern Area of the Southern Provinces. Wider application will depend upon traffic to be provided for, funds available, and the relative urgency of requirements throughout the country.

THE HON. THE MEMBER REPRESENTING THE NIGER AFRICAN TRADERS (MR. S. C. OBIANWU):—

7. To ask His Honour the Acting Lieutenant-Governor, Southern Provinces whether the rumour is true that a commission has been sent out to the Provinces in connection with Niger Lands and whether instructions have been issued for the officer to take the views of the representatives of the people claiming interests on such lands according to an undertaking given by His Excellency the Governor during his last visit to Onitsha?

THE HON. THE COMMISSIONER OF LANDS:—

No undertaking that a Commissioner would be appointed in connection with Niger Lands was given, but a Land Officer is in the Warri Province investigating the position and area of the lands mentioned in the Niger Company agreements set out in the first schedule of Cap. 86 of the Laws of Nigeria. Instructions have been given to the officer to consider the claims of all persons in occupation of or having any interest in these lands and any accredited representatives who come forward will be heard. The Land Officer has been instructed to ascertain the exact boundaries of these lands and to make a report to the Resident for the information of Government.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

8. To ask the Director of Agriculture how many palm oil presses have up to the present been supplied to the native farmers for purposes of demonstration, and how many are on order?

THE HON. THE DIRECTOR OF AGRICULTURE:—

The exact figures were not readily ascertainable but the following may be taken as approximately correct:—

Presses in regular use on our farms	...	...	8
Presses bought by native farmers	...	...	2
Presses already on loan to farmers	...	...	2
Presses received last week for loaning to farmers			10
Presses on order	...	...	Nil.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

9. What is the cost per ton of cotton seed of the Ishan improved standard and to ask whether a free distribution will not further the efforts of the Agricultural Department?

THE HON. THE DIRECTOR OF AGRICULTURE:—

The seed is obtained from the British Cotton Growing Association for nothing. Bags, bagging, handling, railway freight, wastage and other distribution charges amount to nearly as much as we charge for the seed, *i.e.*, halfpenny per lb. The charge, however, is not made in order to obtain revenue, but in the belief that a larger acreage would be sown if the seed were sold than if it were given away. Selling the seed makes it clear that the farmer is not being pressed to take the seed and discourages waste. It is believed that many more acres have been sown with some sixteen tons of Ishan seed that were sold this year, than was sown with 800 tons of American seed that were distributed free in 1921. Though 20 and even 30 lb. per acre are often used when seed costs nothing, an acre can be planted satisfactorily with two or three pounds of seed; so at halfpenny per lb. the cost of seed is not a serious item to the poorest man.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

10. Whether Government will not consider the desirability of extending the Kajola-Asha road seven miles further to join the Ibadan-Ijebu main road thus completing what will become one of the most useful routes in the country?

WARRI PROVINCE:

	£	£
Warri Treasury	9,210	8,366
Sapele Treasury	5,605	5,093
Forcados Treasury	2,965	2,831
Ase Treasury	6,743	5,567
Kwale Treasury	10,120	10,100

THE HON. THE MEMBER REPRESENTING THE NIGER AFRICAN TRADERS (MR. S. C. OBIANWU):—

2. To ask the Honourable the Director of the Medical and Sanitary Service when the proposed extension and improvement of the African Hospital at Onitsha is to become an accomplished fact?

THE HON. THE ACTING DIRECTOR OF THE MEDICAL AND SANITARY SERVICE:—

The proposed extension will be carried out as soon as the financial state of the country permits.

THE HON. THE MEMBER REPRESENTING THE NIGER AFRICAN TRADERS (MR. S. C. OBIANWU):—

3. To ask His Honour the Lieutenant-Governor, Southern Provinces whether Government is aware of the great difficulty that exists in obtaining water in areas occupied by Africans in Port Harcourt and whether steps will be taken to alleviate this difficulty?

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

The Government is aware of the difficulty referred to. If the Honourable Member will turn to paragraph 354 of the Memorandum on the draft Estimates for 1929-30, he will see, under the Head (b) works now recommended for construction from £500,000 loan allocation, that Port Harcourt is one of the eight places with which it is proposed to deal.

THE HON. THE MEMBER REPRESENTING THE NIGER AFRICAN TRADERS (MR. S. C. OBIANWU):—

4. To ask the Honourable the Acting Secretary, Southern Provinces what provisions are being made for imparting knowledge in arts and crafts to pupils in Government schools in view of the proposed retrenchment of present instructors?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

Handicraft Instructors have been appointed to the Training Colleges at Ibadan and Umuahia. It is expected that competent African Instructors will be available from these Colleges in four years' time. The attention of the Honourable Member is drawn to paragraph 97 on page 12 of the Memorandum on the draft Estimates.

THE HON. THE MEMBER REPRESENTING THE NIGER AFRICAN TRADERS (MR. S. C. OBIANWU):—

5. To ask the Honourable the Acting Postmaster-General if Government will now favourably consider the need for installation of telephone exchange in Onitsha and how soon we may expect that work to be undertaken?

THE HON. THE ACTING POSTMASTER-GENERAL:—

The installation of a Telephone Exchange at Onitsha at a cost of £1,500 was very carefully considered in connection with both the 1928-29 and 1929-30 Estimates; but it was postponed in view of a very heavy programme of more urgent telegraph and telephone works. It will be given sympathetic consideration when the 1930-31 Estimates are being prepared.

THE HON. THE MEMBER REPRESENTING THE NIGER AFRICAN TRADERS (MR. S. C. OBIANWU):—

6. To ask the Honourable the Director of Public Works why the system of tar-metalling roads has not been thought fit for adoption in the Eastern Area of Southern Provinces?

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

4. To ask whether Government is prepared to adhere to the statement made by His Excellency Sir Hugh Clifford in a speech at Abeokuta on the 2nd October, 1924, in respect to certain definite arrangements approved by the Secretary of State with reference to the Petition of the citizens of Abeokuta praying for a reform of their land tenure system (*vide Nigerian Times 1/12/28*)?

THE HON. THE COMMISSIONER OF LANDS:—

Sir Hugh Clifford's speech to which the Honourable Member refers appears to have been taken as foreshadowing more revolutionary changes as regards land tenure in Abeokuta than had been sanctioned by the Secretary of State.

The terms under which the Secretary of State consented to sale and mortgage of property in Abeokuta town are being adhered to and were made known to the Alake and Council. The Secretary of State did not consent to the sale of the property in Egbaland to non-Egbas or the foreclosure by aliens on mortgaged property and therefore in these respects the situation remains unchanged. Further proposals have been made to the Secretary of State and his reply is awaited.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

Arising out of that reply, may I ask what the further proposals are?

THE HON. THE COMMISSIONER OF LANDS:—

The proposals are still under the consideration of the Secretary of State.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

5. Considering the people's anxiety over the land tenure system whether a definite statement of policy can now be made and explanation given for the delay in carrying out the suggested reforms?

THE HON. THE COMMISSIONER OF LANDS:—

It is intended to open a Registry Office at Abeokuta as soon as staff is available. As regards other reforms I refer the Honourable Member to my reply to the previous question.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

6. That in view of the fact that the Native Administration of Abeokuta has expended over £3,000 on the Trunk Road passing through Abeokuta far in excess of Government grant of £650 during the last financial year whether Government will now agree to the remission of taxes collected on vehicles during that period and the handing over of licensing of vehicles in future to the Native Administration?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

The reply is in the negative.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

7. To ask the Director of Public Works whether there still exists any contract between any private company for the supply of timber logs (Mahogany, etc.), to his Department, and if so, how long is such an arrangement to continue?

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

There is no contract in existence with any private company for the supply of timber logs. Logs are purchased at the most advantageous prices in the open market.

MINUTES.

The minutes of the meeting of the 31st January, 1929, having been printed and circulated to Honourable Members, were taken as read and confirmed.

PETITIONS.

Nil.

NOTICE OF QUESTION.

Nil.

QUESTIONS.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

1. To ask whether it is a fact that certain officials of the Government Printing Department were in 1927 or 1928, involved in a charge of misappropriation of Government money or other Government property? If so,

(b) To ask:—

1. Who the officials were?
2. Whether they pleaded or were found guilty?
And if they were guilty,
3. What action was taken by Government in the matter?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

(a) The charge was not one of misappropriation of Government money or of other Government property, but one of breaches of General Order 27, or of contravention of General Order 27.

(b) The officials were:—

Mr. W. H. de Boltz, Mr. F. C. Smith, Mr. C. H. Townley, and Mr. T. A. Thompson.

2. The first three were found guilty, and Mr. T. A. Thompson acquitted.
3. Mr. W. H. de Boltz was severely reprimanded and his personal allowance reduced by £20 *per annum*. Mr. Smith and Mr. Townley were censured.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

2. To ask whether it is a fact that the Personal Allowance of the Government Printer was reduced in 1928? If so,

(b) To ask by what amount was it reduced? And considering that that official's personal allowance was increased some time ago on the recommendation of this Honourable Council,

(c) To ask for a statement of the reason, or reasons, which have been held to justify the reduction?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

(a) and (b) have been answered.

(c) The fact that Mr. de Boltz was found guilty of the charge preferred against him was considered by His Excellency in Council sufficient to warrant a reduction of his personal allowance.

THE HON. THE MEMBER FOR THE EGBA DIVISION (MR. S. H. PEARSE):—

3. To ask the Honourable the Commissioner of Lands how soon will the general survey of Abeokuta Town be recommended considering that the solution of the land tenure question depends on its completion?

THE HON. THE COMMISSIONER OF LANDS:—

The general survey of Abeokuta Town is still proceeding and has been in progress for some time.

- The Acting Administrator,
The Honourable Mr. G. H. Findlay.
- The General Manager of the Railway,
The Honourable Mr. E. M. Bland, C.M.G.
- The Acting Director of Public Works,
The Honourable Mr. F. D. Evans.
- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.
- The Honourable Lieut.-Col. R. H. Rowe, D.S.O., M.C.
The Commissioner of Lands,
- The Honourable Mr. G. B. Hebden.
Acting Postmaster-General,
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.
- The Member for the Ibo Division,
The Honourable Mr. I. O. Mba.
- The Second Lagos Member,
The Honourable Mr. E. O. Moore.
- The Member Representing the Niger African Traders,
The Honourable Mr. S. C. Obianwu.
- The Commercial Member for Calabar,
The Honourable Mr. G. Graham Paul.
- The Member for the Egba Division,
The Honourable Mr. S. H. Pearse.
- The Member for the Rivers Division,
The Honourable Mr. Mark Pepple Jaja.
- The Member for the Oyo Division,
The Honourable Mr. E. H. Oke.
- The Commercial Member for Kano,
The Honourable Mr. J. W. Speer.
- The Commercial Member for Lagos,
The Honourable Mr. R. F. Irving.
- The Member for the Warri-Benin Division,
The Honourable Mr. I. T. Palmer.
- The Member for Calabar,
The Honourable Mr. C. W. Clinton.
- The Third Lagos Member,
The Honourable Mr. T. A. Doherty.
- The Banking Member,
The Honourable Mr. L. M. Herapath.
- The Member for Shipping, (Provisional)
The Honourable Mr. F. Bateman Jones.

ABSENT.

- The Senior Resident, Adamawa Province,
The Honourable Mr. G. S. Browne.
- The Senior Resident, Kano Province,
The Honourable Mr. C. W. Alexander, C.M.G.
- The Resident, Bauchi Province,
The Honourable Mr. C. A. Woodhouse.
- The Acting Secretary, Northern Provinces,
The Honourable Mr. H. H. Middleton.
- The Resident, Adamawa Province,
The Honourable Major T. A. G. Budgen, M.C.
- The Member for the Colony Division,
The Honourable Sir Kitoyi Ajasa, Kt., O.B.E.
- The Mining Member,
The Honourable Mr. A. L. Butler.
- The Commercial Member for Port Harcourt (Provisional)
The Honourable Mr. P. H. Davy.

MINUTES of a MEETING
OF THE
LEGISLATIVE COUNCIL

Held in the Council Chamber, Lagos, on
1st February, 1929, at 10 a.m.

Pursuant to notice the Honourable the Members of
the Legislative Council met at the Council Chamber
Lagos, at 10 A.M. on Friday the 1st February.

PRESENT:—

- The Officer Administering the Government,
His Excellency Sir Frank Baddeley, Kt., C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable Mr. D. Kingdon, K.C.
- The Lieutenant-Governor, Northern Provinces,
His Honour Mr. H. R. Palmer, C.M.G., C.B.E.
- The Acting Lieutenant-Governor, Southern Provinces,
His Honour Captain W. Buchanan Smith, M.C.
- The Acting Attorney-General,
The Honourable Mr. J. C. Howard.
- The Commandant,
The Honourable Col. W. B. Greenwell, D.S.O.
- The Acting Director of Medical and Sanitary Service,
The Honourable Dr. G. J. Pirie.
- The Treasurer,
The Honourable Mr. C. W. Leese.
- The Director of Marine,
The Honourable Captain R. H. W. Hughes, C.B., C.S.I.,
C.M.G., D.S.O., R.D., R.N.R.
- The Comptroller of Customs,
The Honourable Mr. F. A. Clinch.
- The Acting Secretary for Native Affairs,
The Honourable Mr. W. Morgan.
- The Senior Resident, Niger Province,
The Honourable Mr. J. C. C. P. Sciortino.
- The Senior Resident, Plateau Province,
The Honourable Capt. P. Lonsdale.
- The Senior Resident, Zaria Province,
The Honourable Mr. E. H. B. Laing.
- The Resident, Calabar Province,
The Honourable Mr. E. M. Falk.
- The Resident, Abeokuta Province,
The Honourable Mr. F. B. Adams.
- The Acting Deputy Chief Secretary,
The Honourable Mr. W. E. Hunt.
- The Acting Secretary, Southern Provinces,
The Honourable Mr. H. B. Butler.

On the motion of the Honourable Acting Attorney-General, seconded by His Honour the Lieutenant-Governor, Northern Provinces, the Bill was read a first time.

On the motion of the Honourable Acting Attorney-General, seconded by His Honour the Lieutenant-Governor, Northern Provinces, the Bill was read a second time and the Council went into Committee thereon.

The Bill having passed through Committee without amendment, the Council resumed, and on the motion of the Honourable Acting Attorney-General, seconded by His Honour the Lieutenant-Governor, Northern Provinces, the Bill was read a third time and passed.

The Council adjourned at 12.45. p.m.

The Council resumed at 2.30 p.m.

BILLS.

THE 1929-1930 SUPPLY ORDINANCE, 1929.

The Honourable the Acting Chief Secretary to the Government seconded by the Honourable the Treasurer, moved that Standing Order No. 23 be suspended in order to enable the 1929-1930 Supply Ordinance, 1929, to be read a second time at this meeting of the Council. The motion was agreed to. The Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, moved that the 1929-1930 Supply Ordinance, 1929, be read a second time.

ADJOURNMENT.

The Council adjourned until 10 a.m. on the 1st February, 1929.

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, the following resolution was carried: —

“ Be it resolved: That, the Supplementary Estimates, 1928-29 which have been laid on the Table to-day, be referred to the Finance Committee.”

The Honourable the Second Lagos Member (Mr. E. O. Moore), seconded by the Honourable the Third Lagos Member (Mr. T. A. Doherty) moved the following resolution:—

“ Be it resolved: That, in the opinion of this Council it is undesirable and impolitic to confer any judicial function on the Native Chiefs in the Colony.”

After discussion, and with the permission of the Council, the Honourable the Second Lagos Member (Mr. E. O. Moore) withdrew the resolution.

BILLS.

THE LABOUR ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Acting Deputy Chief Secretary to the Government, a Bill entitled “ An Ordinance to provide a Labour Code for Nigeria ” was read a first time, and the Honourable the Acting Attorney-General gave notice that the second reading of the Bill would be moved at the next meeting of the Council.

THE SHIPPING AND NAVIGATION (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Director of Marine, a Bill entitled “ The Shipping and Navigation (Amendment) Ordinance, 1929 ” was read a first time and the Honourable the Acting Attorney-General gave notice that the second reading of the Bill would be moved at the next meeting of the Council.

THE LIQUOR (AMENDMENT) ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Comptroller of Customs, a Bill entitled “ The Liquor (Amendment) Ordinance, 1929 ” was read a first time and the Honourable the Acting Attorney-General gave notice that the second reading of the Bill would be moved at the next meeting of the Council.

THE LEGITIMACY ORDINANCE, 1929.

On the motion of the Honourable the Acting Attorney-General, seconded by the Honourable the Acting Administrator of the Colony, a Bill entitled “ An Ordinance to amend the law relating to children born out of wedlock ” was read a first time and the Honourable the Acting Attorney-General gave notice that the second reading of the Bill would be moved at the next meeting of the Council.

THE 1929-1930 SUPPLY ORDINANCE, 1929.

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, a Bill entitled “ An Ordinance to provide for the Service of the Colony and Protectorate of Nigeria for the year ending the thirty-first day of March, one thousand nine hundred and thirty ” was read a first time and the Honourable the Acting Chief Secretary to the Government gave notice that the second reading of the Bill would be moved at the next meeting of the Council.

THE MOHAMMADU YAJI (DETENTION) ORDINANCE, 1929.

The Honourable the Acting Attorney-General moved the suspension of the Standing Orders to enable a Bill entitled “ An Ordinance to provide for the detention of Mohammadu Yaji, the Ex-Sarkin of Madagali ”, to be taken through all its stages at this sitting of the Council.

His Honour the Lieutenant-Governor, Northern Provinces seconded.

Motion agreed to.

(4) There is no system of juries outside the Colony. When exercising jurisdiction the District Officer combines the functions of judge and jury.

(5) and (6) When the work is sufficient to justify it a Departmental Officer or another Administrative Officer is detailed for these duties. In the absence of such an officer the District Officer may act as local Treasurer, and/or Comptroller of Prisons, in each case under the direction of, and responsible to, the Head of the Department concerned.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

86. To ask how many District Officers and Assistant District Officers are there in the Service?

(b) How many of these are qualified barristers or solicitors?

(c) What are the reasons which would appear to justify the appointment of unqualified men to sit as judges of Provincial Courts especially over trials for capital offences?

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

(a) Has been answered in reply to questions 56-57.

(b) Barristers, twenty-two. Solicitors, seven.

(c) Government does not admit that members of the Provincial Court are unqualified to exercise the jurisdiction conferred upon them under the Provincial Courts Ordinance (Chapter 4, section 12, also section 6 (3)).

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

87. To ask whether it is not a fact that Public Letter Writers in the Protectorate of Nigeria are allowed to usurp the functions of legal practitioners by drawing up summonses and other legal documents on behalf of illiterate litigants for use in the Native and Provincial Courts and in consideration for value received?

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

Government is not aware that the fact is as alleged.

RESOLUTIONS.

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Comptroller of Customs, the following resolution was carried:—

“ Be it resolved: That this Council consent to the Order in Council (No. 4 of 1929) made by the Governor in Council under section 12 of the Customs Tariff Ordinance, 1924, on the 21st day of January, 1929, in so far as the said Order relates to the Colony and to the Southern Provinces of the Protectorate.”

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Comptroller of Customs, the following resolution was carried:—

“ Be it resolved: That, this Council consent to the Order in Council (No. 5 of 1929) made by the Governor in Council under section 12 of the Customs Tariff Ordinance, 1924, on the 21st day of January, 1929, in so far as the said Order relates to the Colony and to the Southern Provinces of the Protectorate.”

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Lieutenant-Governor, Northern Provinces, the following resolution was carried:—

“ Be it resolved: That, this Council do approve the granting of £500 a year for five years as from the 1st April, 1929, to the International Institute of African Languages and Cultures.”

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

80. *Disallowed.*

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

81. Whether Government will not consider the advisability of discontinuing the policy of forced labour on the roads in view of its disastrous effect upon the economic life of the people, especially where male persons are kept for weeks or months constructing roads without being paid a farthing for work done and nevertheless have to find their own food, pay their annual taxes and perforce leave their own farms unattended and which in the end become unproductive to them?

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

If the Honourable Member will be good enough to inform me where this forced labour on roads is taking place I will make enquiries at once. As far as I am aware he has been misinformed. With the introduction of taxation all labour on roads is fully paid.

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

82. *Disallowed.*

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

83. *Disallowed.*

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

84. *Disallowed.*

(b) *Disallowed.*

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

85. To ask whether it is not a fact that apart from the District Officer's substantive duties as Political Officer, or Officer Administering the Government to the District over which he is commissioned, he also functions in the following capacities, at one and the same time, namely:—

- (1) Commissioner of Oaths.
- (2) Superintendent of the Criminal Investigation Department.
- (3) Judge, or Commissioner of the Supreme Court.
- (4) Jury.
- (5) Gaoler, or Comptroller of Prisons.
- (6) Treasurer, or Revenue Officer.
- (7) Auditor of his own District Accounts.
- (8) Supervisor of Native Courts.
- (9) Postmaster-General, etc., etc.

(b) *Disallowed.*

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

(1) and (8) The answer is in the affirmative. (7) and (9) The answer is in the negative.

(2) As the officer responsible for the general administration, he supervises the activities of Native Administrations with regard to criminal investigation. In the absence of a police officer he can, on behalf of the Inspector-General of Police, supervise Government Police in this connection.

(3) He is a Commissioner of the Provincial Court, and a Commissioner of the Supreme Court within the local limits of that Court.

In conclusion I would add, for the information of the Honourable Member that during 1927 if a full cash credit had been received for services rendered to other departments the year's working would still have resulted in a net loss of £30,000 not including special expenditure.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

68. On what grounds is Nigeria excluded from participation in the West African Appeal Court?

THE HON. THE ACTING ATTORNEY-GENERAL:—

I must refer the Honourable Member to the reply given to him by the Honourable the Acting Chief Secretary to the Government to question 7 (ii) in the Legislative Council Debates of the 26th November, 1928, when this question was specifically answered.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

68a. Will Government consider the advisability of various departments paying for postal services with a view of checking undue expenditure?

THE HON. THE ACTING POSTMASTER-GENERAL:—

I would refer the Honourable Member to my reply to Question No. 8 at the last meeting of this Council on the 26th of November, 1928, in regard to the undesirability of inter-departmental debits and credits.

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

69. To ask whether the Government is now in a position to make any definite statement as to whether the Secretary of State for the Colonies has approved of freehold rights being granted to prospective settlers in the Yaba Township?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

The attention of the Honourable Member is directed to Government Notice No. 27 which was published in the Gazette of 24th January, 1929.

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

70. *Disallowed.*

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

71. What steps does the Government propose to take to combat the rapid encroachment of the sea at Victoria Beach before such inroads become a positive danger to the town of Lagos?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

The Government, on the advice of their Consulting Engineers, is taking steps, by the extension of the Eastern Mole northwards, to ensure that any further encroachment will not constitute a danger to the port of Lagos. For this purpose a sum of £7,000 is provided in the current year's Estimates at Head 50 item 8.

THE HON. THE THIRD LAGOS MEMBER (MR. T. A. DOHERTY):—

72. Whether the Government does not consider the advisability of reclaiming the area of land lying between the Five Cowrie Bridge and the new Iru Village so as to include the area within the Town Planning Scheme?

THE HON. THE COMMISSIONER OF LANDS:—

The Lagos Executive Development Board has recently been constituted under the Town Planning Ordinance and no Town Planning Schemes under that Ordinance have yet been made. The whole of the municipal area in order of urgency will be considered by the Board when drawing up its schemes.

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

Stores are checked periodically by officers of the Stores Branch of the Public Works Department. Independent Boards of Survey, consisting of two members and a President are appointed by Government to check and report on each store once a year.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

65. Whether a detailed statement of stores on hand can be included in the Public Works Department Annual Report and presented with the Annual Estimates?

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

A detailed statement of stores on hand as at 31st of March for the preceding year could be included in the Public Works Department Annual Report, at a cost to Government of approximately £100, exclusive of the cost of printing of some 200 pages additional to the Public Works Department Annual Report. It is not considered that publication would serve any useful purpose.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

66. What entries are made in the store accounts when articles of value such as baths, sinks, windows, etc., are collected from bungalows and other buildings when the latter are demolished and are articles so collected used again in various works?

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

All articles of value collected from demolished buildings, or removed from any buildings or works, are returned to store and taken on charge, under Unallocated Stores Suspense Account, at a valuation depending on their condition. When they are subsequently used on other buildings or works, the latter are charged with the cost at which the articles stand in the Stores Cost Books.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

67. Referring to the Acting Postmaster-General's answer given to the Honourable Commercial Member for Lagos (Mr. R. F. Irving) on the 26th November, on what grounds does he base his contention that the Posts and Telegraphs Department is not considered primarily a commercial undertaking?

THE HON. THE ACTING POSTMASTER-GENERAL:—

The Posts and Telegraphs Department in a country like Nigeria is not primarily a commercial undertaking because postal and telegraph facilities are usually provided in the first place for administrative or strategical purposes only.

The cost of building a telegraph line varies from £60 to £90 a mile according to local conditions and the opening of a Posts and Telegraphs Office involves provision of apparatus and trained African Engineering and Operating Staff together with the cost of inspection and executive and administrative control. The revenue in most of these cases is negligible for many years, but nevertheless Government has no alternative but to provide these commercially unremunerative services in the public interest.

Such services are not, however, exclusively official but are also given by Government in response to commercial pressure. An example of this is the Lagos-Agege trunk telephone service which was given to Lagos subscribers free and has only attracted a maximum of seven private subscribers at Agege during the past eight years.

So far as is practicable the Department is worked on commercial lines; but it is realised that the beneficial effects of the Department in the development of the country in general, and of trade in particular, necessitate many postal, telegraph and telephone services being maintained at a loss to Government. It is certain that no commercial enterprise would undertake to provide and maintain many of the services which exist in Nigeria without a large Government subsidy.

This Estimate is based upon the following known factors:—

1. The total pensionable personal emoluments from year to year.
2. The Railway reimbursement of its own pensions charges.
3. The post-war revision of salaries and of the Pensions Regulations.

And may be affected to a greater or less degree by the following incalculable factors:—

1. Invalidings and deaths of officers in the service.
2. Long service, and other public service, beyond the minimum requirements of the pensions laws.
3. The longevity of pensioners from Nigeria of which as yet little is known.
4. The acceptance of gratuities upon retirement.
5. Normal increase of staff.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

62. How much of the £1,920,883 in table one on page 3 of the Annual Report of the Public Works Department, 1927 is for contract work?

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

The actual expenditure in 1927-28 was £1,835,632. This sum included expenditure on contracts, as follows:—

	£
Roads and bridges	97,937
Supply of timber	34,037
Supply and transport of local building material	147,600
Crown Agents' contracts	513,479
	£793,053

In addition contracts for buildings were in progress during the year to the extent of £105,043

These figures are approximate as an extended analysis of all items of expenditure was impossible in the time available for reply.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

63. If in order to keep the pensionable staff as low as possible it is the policy where special works are concerned to engage Foremen, Engineers, and Building Inspectors on temporary agreement? If not, what, if any, are the difficulties in the way of adopting this policy, and if no insuperable difficulties exist, will the Director of Public Works consider the proposal?

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

In order to keep the pensionable staff as low as possible it is the policy of Government to engage Foremen and Engineers on temporary agreements where special works are concerned; this policy is adhered to.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

64. What is the system in force for checking Public Works Department stores; and if an independent Survey Board exists for this purpose what is the constitution thereof?

Generally speaking, a firm of contractors, by reason of their special experience and ready-made organisation for the business, can carry out works of magnitude more rapidly and more efficiently. In the present case, however, the supply of the steel-work and the requisite constructional plant would occupy the same period whichever method were employed for the execution of the bridge. Moreover, the existing Harbour Works Staff possesses considerable experience in the construction of work of the character now in question.

We should, accordingly, anticipate the bridge being constructed as quickly and more economically by the departmental method which would in this instance eliminate the ordinary contractors' profits without incurring the usual additional expenditure on account of the longer period occupied in construction.

The variable character of the strata at the bridge site to which we have previously alluded, renders it impracticable definitely to determine in advance the depths to which the foundations would have to be carried. This constitutes a feature which might, in the execution of the work by contract, occasion claims of one sort or another for extra payment whereas, under the departmental method of construction, all necessary modifications in the foundations would be made at net cost.

In all the circumstances, therefore, we recommend that the work, when sanctioned, should be executed departmentally.

THE HON. THE COMMERCIAL MEMBER FOR CALABAR (MR. G. GRAHAM PAUL):—

Arising out of that answer, may I ask whether the Government have considered the very serious question of responsibility raised by one point in that answer that only a few firms would have tendered for the work to be done in Nigeria? May I ask if Government have considered the question whether that fact is not due to the deliberate policy of Government to give out as little work as possible to contract?

HIS EXCELLENCY:—

The Honourable Member will find there is another similar question on the paper to which there will be an answer later on. A considerable amount of work is in fact done by contractors on tender.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

61. What is the estimated liability of the Nigerian Government for pensions fifteen years hence?

THE HON. THE TREASURER:—

The Honourable the Commercial Member for Lagos (Mr. R. F. Irving) is, I am sure, aware that the pensions liability of this Government beyond a very limited period ahead, can only be made the subject of a very general forecast.

He will understand therefore that the figure given in answer to his question is a rough estimate only, depending as it must do on some uncertain and some problematic factors.

From a review of the relation of pensions to personal emoluments and from a general analysis of personal emoluments it is estimated that the present rate of increase of the cost of pensions will continue for a further four or five years.

Then for the following eight or ten years the increase will become much more gradual, corresponding with the period during the war twenty years earlier, when pensionable personal emoluments remained practically stationary. Another circumstance which will retard the rate of increase is the lengthening of the term of service.

That brings us to the year 1944, fifteen years hence, and I estimate that the net amount payable from revenue on account of pensions and gratuities for the financial year 1943-44 will not exceed £500,000, as compared with the actual net expenditure on this account in 1927-28 of £243,643.

(c) Class II—District Officers and Assistant District Officers;
(d) Cadets.

In 1925 and 1926 Cadets were not shown separately in Staff Lists and for these years District Officers, and Assistant District Officers and Cadets will be given together. The figures are:—

	Staff Grade	Class I. Grade I.	Class II D. Os. & A. D. Os.	Class III Cadets.
31.12.1925	13	32	325	
„ 1926	15	30	331	
„ 1927	16	31	229	112
„ 1928	16	31	248	123

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

58. Is it not a fact that the Administrative Service (Senior Residents, Residents, District Officers, Assistant District Officers and Cadets) is considerably over-staffed?

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—
The answer is in the negative.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

59. Why is it necessary to have four Administrative Officers at Ilaro, two at Okitipupa (to mention only two divisions) each being a one man station?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

Ilaro is a division of some years standing and as such had as a minimum a staff of one District Officer and an Assistant District Officer, and from January to September this was actually the number of officers in the Division. A divisional staff frequently required temporary augmentation for special purposes, as for instance, assessment, and it is left to the discretion of the Resident to arrange the distribution of his provincial staff in accordance with his immediate requirements. It is this fact which has caused the variations which the Honourable Member has observed.

Okitipupa has more recently been constituted a Division. Apart from a considerable area of mainland it covers a wide network of waterways in which are hidden away numbers of villages difficult of access and harbouring a large floating population not very law-abiding in its activities. Satisfactory administration of this area had proved in practice impossible with one officer only stationed at Okitipupa.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

60. Was the contract for erecting the new Carter Bridge put out to tender? If not, why not?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

The answer is in the negative. The question of putting the new Carter Bridge out to contract was fully considered by Government and on the advice of the Consulting Engineers it was decided with the approval of the Secretary of State that the work should be carried out departmentally.

The following is the advice tendered by the Consulting Engineers on the point:—

As regards the question whether the proposed work should be executed by contract or departmentally, certain considerations in this particular instance favour the carrying out of the work by the latter method.

Under the departmental system, a large number of competitive tenders would be obtained for the supply of the steel-work, the cost of which would represent approximately one-half of the total expenditure on the bridge. If, on the other hand, a contract were let for the execution of the bridge, tenders would be confined to the comparatively small number of firms who might be willing to quote for such work in Nigeria.

several years for the erection of this building, which, incidentally, will include all the Native Administration offices as well as a hall, and at a meeting of the Chiefs and members of the community in 1923 a definite request was made that provision should be inserted in the Native Administration Estimates, and that the work should be begun forthwith. I may add that a Council Hall appears to make a special appeal to Native Administrations in the South, and representations for the erection of such a building were made to me at Ijebu-Ode in 1921 and at Onitsha more recently.

As regards the suggested alternatives I refer the Honourable Member to paragraph 354 page 48 of the Memorandum on the draft Estimates. It will there be seen that the estimated cost of a scheme to supply Ibadan with water is over £500,000, and of electric light £67,000. It will therefore be readily appreciated that these undertakings for the present at any rate are beyond the resources of the Native Administration.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

54. Who are the Administrative Officers who have been Residents or Acting Residents in the Oyo Province during the year 1928 and for what periods have they respectively been in charge?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

Captain W. A. Ross, C.M.G. (Senior Resident) from January 1st 1928, to May 15th, 1928.

Mr. H. T. B. Dew (Acting Resident) from May 16th, 1928, to October 15th, 1928.

Major F. S. Williams-Thomas, D.S.O. (Resident), October 16th, 1928, to December 31st, 1928.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

55. What number of days has each Administrative Officer spent in Ibadan, Oyo and Iseyin during his term of office in the Oyo Province?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

Captain Ross	...	...	...	...	35 days at Ibadan.
					33 Oyo.
					28 Iseyin.
					<hr/>
Mr. Dew	...	...	...	...	71 days at Ibadan.
					42 Oyo.
					15 Iseyin.
					<hr/>
Major F. S. Williams-Thomas	...	...	...	...	19 days at Ibadan.
					32 Oyo.
					20 Iseyin.
					<hr/>

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

56. How many Senior Residents, Residents, District Officers, Assistant District Officers and Cadets were there in the Nigerian Government Service at 31st December, 1928?

57. How many Senior Residents, Residents, District Officers, Assistant District Officers and Cadets were in the service of the Nigerian Government at 31st December, 1925, 1926 and 1927 respectively?

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

Officers of the Administrative Service are liable to be posted to any department within the Administrative Service, for example, Secretariat, Lands and Magistracy.

Figures will, therefore be given:—

- (a) for Staff Grade; in which the Senior Residents are found;
- (b) for Class I, Grade I—the grade of Residents;

THE HON. THE ACTING POSTMASTER-GENERAL:—

The position as regards commercial wireless has developed considerably and provision has been made in 1929-30 Estimates to engage two specially-trained Engineer Operators for research work with short wave equipment. It is hoped that experiments will commence early in the new financial year and that in the course of a few months the Posts and Telegraphs Department will be in a position to make practical use of wireless in various directions within the Colony and Protectorate.

The primary object is to introduce wireless for inland telegraph purposes in the more remote or inaccessible parts of the country, but the equipment will also provide facilities for experimental broadcast transmission and for long distance reception with a view to obtaining definite information as to the type of receiver best suited for local conditions and the reliability to be expected in every day conditions from English and American stations.

As regards external wireless the whole matter is under consideration by the Empire Communications Board and it is not possible at present to forecast what policy will be adopted.

I can assure the Honourable Member for Kano that the Posts and Telegraphs Department will do everything possible to further the development of wireless, commercial and otherwise, and it is hoped that the Department will be in a position to put concrete proposals before Government by the end of this year.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

50. What has been the cost, including overhead charges, up to 31st December, 1928, of the new Council Hall at Ibadan?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

It is first to be observed that it is not part of the functions of this Council to inquire into the expenditure of the funds of the Native Administrations, but for the information of the Honourable Member the following figures have been obtained:—

£15,583.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

51. What is the estimated further expenditure, including overhead charges, to complete the building?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

£8,462

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

52. What was the original estimate, and who sanctioned the expenditure?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

The original estimate was £18,000 and this amount was sanctioned by His Excellency in 1925. A further sum of £6,000 was sanctioned by His Excellency in August, 1928.

THE HON. THE COMMERCIAL MEMBER FOR LAGOS (MR. R. F. IRVING):—

53. Why was the erection of the Council Hall sanctioned when only a very small portion of the town of Ibadan is supplied with pipe-borne water and there is no electric light?

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES:—

The Honourable Member would appear not entirely to appreciate the position as to Native Administration funds. These belong to the Native Administration, and that body, subject to the advice of the Resident and the final approval of the Governor, is entrusted with their disposal. This is more particularly the case when a fully-organised Native Administration such as that of Ibadan is concerned. In this instance the Chiefs have been pressing for

(b) It is impossible and undesirable to lay down any hard and fast rule on this point. General guidance by Administrative Officers is always necessary and the extent to which any Native Administration exercises certain powers and controls its own affairs depends on the stage of development that it has reached.

(c) The Native Administrations in the Provinces alluded to are in their infancy and cannot be expected at this early stage to evolve departments such as those to which the Honourable Member alludes. After a time it will no doubt be possible to develop such departmental organisations as is to be found in the case of the older Native Administrations in the western portions of the Southern Provinces.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

46. In view of the increasing importance of the township of Calabar whether, and if so, how soon does the Government intend to extend to Calabar the system of electric lighting as has been done at Port Harcourt and Enugu to augment the water supply?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

It is hoped that it will be possible to make provision for both electric light and water supply at Calabar out of the sums which have been earmarked for such works in the proposed new Loan, as soon as the necessary schemes and estimates of costs, now in course of preparation, have been made available. The needs of Calabar must be considered with the relative importance of other schemes. Both schemes, however, will be contingent on the introduction of a system of rating.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

47. Will Government consider the question of the early opening up of the country between Calabar and the Cameroon boundary by the erection of a permanent bridge across the Qua River at Atimbo and the making of proper motor roads from Atimbo to the Cameroons?

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

The matter is one which no doubt will be submitted for consideration to the Communications Board in due course, but as the country through which this road would pass is largely uninhabited and would, owing to the physical features of the country traversed, be an extremely expensive undertaking it is improbable that the scheme will take precedence of many others of greater economic importance which are now being considered.

As regards the bridge over the Kwa River at Atimbo it is not possible at the moment to say anything. The question will be referred to the Director of Public Works for a report as to the practicability and cost of such an undertaking.

THE HON. THE COMMERCIAL MEMBER FOR KANO (MR. J. W. SPEER):—

48. To ask the Honourable the Acting Chief Secretary to the Government, in view of the Honourable the General Manager of the Railway's statement to the Kano Chamber of Commerce that he is unable to offer any alternative to the present arrangements, if Government will consider granting a concession on the present return full fare rates between Iddo or Apapa and points up-country in the case of wives of non-officials, and further, if Government is aware that for some time past similar facilities have been granted by the Shipping Companies?

THE HON. THE GENERAL MANAGER OF THE RAILWAY:—

The answer to both parts of the question is in the negative.

THE HON. THE COMMERCIAL MEMBER FOR KANO (MR. J. W. SPEER):—

49. To ask the Honourable the Acting Postmaster-General if he is in a position to add to the answer given in this Council on February the 18th last, relating to wireless reception, commercial and otherwise?

THE HON. THE ACTING ATTORNEY-GENERAL:—

(a) The admission of a certain type of evidence is a matter for decision by each particular tribunal.

(b) The Government does not subscribe to the doctrine that the Chiefs who preside over these Courts are illiterate. If the Court admits evidence of this character it must be assumed that it is competent to judge of its value.

(c) In view of the reply to (b) this question does not arise.

(d) The question as to whether such a declaration constitute a good title to land is a matter of law on which in each particular case European firms should consult their legal advisers.

(e) Decisions in land cases are governed by the same rule of procedure as obtain in other cases decided by Native Courts.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

44. Since it is not a necessary corollary in the instruction of Native Chiefs in the proper administration of justice that there should be no right of appeal from their decisions what reasons have the Government for depriving litigants in these Courts and denying them the privilege of appeal enjoyed by them under their own institutions before the advent of the British in the country and under British rule up to 1914 of appeals to the Supreme Court?

THE HON. THE ACTING ATTORNEY-GENERAL:—

It is considered that the control and rights of transfer to the Provincial Court exercised by members of the Provincial Court and Commissioners of the Supreme Court provide complete and ample safeguards against injustice and hence further privileges of appeal are neither necessary nor desirable and would moreover clog the efficient administration of justice.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

45. To ask what is the constitution of a Native Administration in Provinces like Calabar, Owerri and Ogoja?

(a) What is the system under which the Native Administrations are carried on, what is the personnel and who are the heads directly responsible in each Province for the proper working of the system?

(b) In the process of administration how is it determined where the province of the British administration ends and that of the Native Administrations begins and *vice versa*?

(c) Are the Native Administrations in these Provinces divided into Departments such as Treasurer, Public Works, Health, etc., and if so what are the several departments and who are the heads or managers of such department in each Province?

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

It is the intention of Government that the constitution of the Native Administrations in the Provinces of Calabar, Owerri and Ogoja should be as far as possible identical with the tribal clan or village organisations of the peoples of those Provinces and in this respect it is designed to follow on the lines already proved successful in other Provinces.

(a) The system under which these Native Administrations work is to allow as far as practicable local government to be carried on by means of indigenous methods and institutions. The personnel consists largely of those who would by native custom be conducting the administration of various areas in the absence of British rule.

Each area is controlled by the Native Authority for that particular area, which may consist of an individual, a council or, as is often necessary in the early stages, a Native Court. The executive functions of a Native Authority are carried out through village or clan heads or their local equivalents.

It is obvious that it is not easy in many places, and the provinces in question are cases in point, to evolve in the early stages a central Native Authority and it is therefore at present often necessary to utilise the Native Authority of each area as the executive and the Native Court as the judiciary.

THE HON. THE ACTING ATTORNEY-GENERAL:—

The Government does not subscribe to the proposition that the increase in the number of proceedings before the Native Courts has been the cause of impoverishing the native communities involved. Hence it does not contemplate the curtailment of the jurisdiction of such Courts.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

40. Will the Government consider the question of the expediency of granting to all persons, natives or non-natives, literate or illiterate, charged with murder, the privilege as of right of retaining the assistance of counsel in whatever Courts such persons may be tried?

THE HON. THE ACTING ATTORNEY-GENERAL:—

The Government considers that the right of applying for the transfer of his case to the Supreme Court enables an accused person charged with murder to have his defence, if he so desires, conducted by Counsel. Hence the expediency to which the Honourable Member refers would not appear to arise.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

41. Will Government publish in the Gazette the warrants giving jurisdiction from time to time to the Native Courts in the Southern Provinces of Nigeria and especially in land cases and if Government will not publish the warrants what are the Government's reason for not doing so?

THE HON. THE ACTING ATTORNEY-GENERAL:—

The warrants are of so voluminous a character that publication in the Gazette would cause inconvenience without any corresponding benefit.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

42. Is it correct that the Native Courts in these Provinces have been given jurisdiction in land cases to the extent in Courts Grade B of ten square miles, Courts Grade C of five square miles and Courts Grade D. of two square miles and if not, what is the actual extent of jurisdiction in land cases that has been given to the Native Courts of each grade above mentioned, under Regulation No. 28 of 1928?

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

The power residing in the Governor under Regulation No. 2 made under section 24 of the Native Courts Ordinance to extend or reduce the jurisdiction of Native Courts has been delegated to the Lieutenant-Governor, Southern Provinces. In the Southern Provinces the Lieutenant-Governor has limited jurisdiction of all Native Courts in land cases to five square miles.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

43. Is it intended that plans made by licensed surveyors shall be used in these Courts to describe and delineate land in dispute before these Courts?

(b) If the answer is in the affirmative how is it proposed that the illiterate chiefs shall understand and deal with these plans?

(c) If the answer is in the negative what value does the Government estimate can be put upon decisions in these Courts as going towards a definite determination of suits in land cases?

(d) Will a declaration of title to land given by a Native Court be considered a good title to land where a European firm desires to acquire property in land for any purpose whatsoever in the Protectorate?

(e) Are decisions of these Courts in land cases to be subject to the same conditions as to denial of the right of appeal as obtains in other cases in the Native Courts?

THE HON. THE ACTING ATTORNEY-GENERAL:—

The inconveniences are the administrative operations and expense necessary to establish a Court which is not required. The grounds on which the Government considers that such a Court would not benefit Nigeria are that the present facilities for appeal are deemed adequate. So that a further Appeal Court established, as suggested, would be superfluous.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

37. Whether, in view of the fact that during the last two years numerous cases (a list of which can be supplied for verification) accused persons in the Provincial Courts have had to serve long terms of imprisonment before their convictions have, upon petition, been discovered to have been erroneous and unwarranted by the evidence, the Government will consider the advisability in the interest of the better administration of justice to natives in the Protectorate of persons charged in these Courts being granted as of right leave to appeal by way of stated cases or otherwise and the advantage of bail pending appeal as obtains in cases of convictions in the Supreme Courts?

THE HON. THE ACTING ATTORNEY-GENERAL:—

As at present advised the Government is not prepared to alter the procedure with regard to appeals by accused persons from decisions of the Provincial Courts.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

38. In view of the fact that in a judgment by His Honour Mr. Justice Tew given recently on an application for a Writ of Habeas Corpus on behalf of B. E. Nzekwu of Onitsha it is seemly that there being no right of appeal from a decision of the Native Court, that the Magistrate who has certain powers to suspend or modify judgments of the Native Court, being under no obligation to exercise his powers if not so inclined, there exists no means of rectifying a decision of a Native Court (where the Court acts within its jurisdiction) however erroneous and grossly unjust, that in this case Nzekwu served two months of the twelve to which he was sentenced by the Court before the order of Mr. Justice Tew set him free whether the Government will consider the advisability in the interest of the better administration of justice that persons charged and other litigants in these Courts be granted as of right the privilege of appeal to a Court of competent literate and legal ability and bail pending appeal?

THE HON. THE ACTING ATTORNEY-GENERAL:—

The Government is not prepared to constitute procedure giving facilities for appeal from decisions of Native Courts. Adequate safeguards are provided by the Ordinance for securing the administration of justice.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

39. In view of the fact that when the jurisdiction of the Supreme Court was limited by Government in 1914 such limitation was alleged to be necessary in order to discourage litigation amongst natives and the tendency of such litigation to impoverish the native communities involved by institution of proceedings before a series of Courts now that it is disclosed by the answer of the Honourable the Acting Chief Secretary to the Government to a question put by the Honourable the Second Lagos Member (Mr. E. O. Moore) at the last session of Council that the number of civil cases heard in the Native Court of the Southern Provinces has increased by over thirty *per cent.* and it is seen from the Government Gazettes that the number of cases yearly in the Native Courts exceeded the number of those in the Supreme Courts by at least ten cases to one, whether the Government will consider the question that the creation of new Native Courts be discontinued and the jurisdiction of the existing Native Courts be limited in such manner as to discourage the institution of proceedings before a series of Courts thereby impoverishing the native communities involved?

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

35. In view of the Royal Instructions of His Majesty King George the Fifth passed under the Royal Seal and Signet to the Governor of the Protectorate of Nigeria dated the 29th November, 1913, and 9th December, 1922, clause 6, sub-clause 2

(a) Was the permission of His Majesty the King obtained before the Supreme Court Ordinance was promulgated under sections 21, 22 and 23 of which natives of the Protectorate were deprived of the privilege which they had hitherto enjoyed and were placed under the restriction and disability of not being able to institute actions in the Supreme Courts whilst under section 24 of that Ordinance, non-natives, that is, persons of European birth, were still to enjoy the privilege of bringing all suits and matters and criminal proceedings for offences committed by and against them to the Supreme Courts?

(b) This Ordinance having been promulgated was His Majesty's attention drawn to the provisions putting the natives under the restrictions and disabilities above mentioned when the Ordinance was laid before him for his final assent, disallowance or other directions thereon?

(c) If His Majesty's permission was first obtained before promulgation, was such permission made public and if so when, where and in what manner, and if not, the reasons for such non-publication?

(d) If the Ordinance was promulgated without the permission of His Majesty the King, will the Government instruct the officials concerned to cease carrying out the provisions of such portion of the Ordinance which are contrary to and in disregard of the Royal Instructions?

(e) Was the permission of His Majesty the King first obtained before the promulgation of the Provincial Courts Ordinance under which appeals are denied to the natives in all criminal cases and even in murder cases and under which litigants are deprived of the rights of the services of counsel even in murder cases?

(f) Was the permission of His Majesty first obtained before the promulgation of the Native Courts Ordinance under which natives are deprived and denied the right hitherto enjoyed by them of appeal to the Supreme Courts in both civil and criminal matters and denied the right of services of counsel?

THE HON. THE ACTING ATTORNEY-GENERAL:—

As the Honourable Member is aware, His Majesty in regard to the matters raised in this question acts in accordance with the Constitution through the medium of a Secretary of State by whom his wishes are expressed. The Supreme Court Ordinance was, previous to enactment, approved by the Secretary of State for the Colonies. Notice of non-disallowance was published in the Gazette of the 4th February, 1915.

(b) The legal report on the Ordinance forwarded to the Secretary of State for the Colonies invited attention to the provisions to which reference is made.

(c) and (d) In view of my reply to (a) these questions do not arise.

(e) and (f) The answer is in the affirmative.

THE HON. THE MEMBER FOR CALABAR (MR. C. W. CLINTON):—

36. Seeing that the Chief Justice of Nigeria is a member of the West African Court of Appeal as constituted under the West African Court of Appeal Order in Council, 1928, what are the unnecessary inconveniences which would be caused by including Nigeria in the provisions made for appeal under that order and what are the Government's grounds or reasons for considering that the establishment of such a Court would not in any way benefit Nigeria at present as indicated by the answer of the Honourable the Chief Secretary to the Government in his reply to a question put at the last session of Council by the Honourable the Commercial Member for Lagos (Mr. R. F. Irving)?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

It is presumed that the Honourable Member requires the figures for the nine months ended December, 1928, not eight as asked in the question.

The answers are as follows:—

(a) £2,252.

(b) The proportionate provisional estimate of revenue for the nine months was £15,000. The actual revenue received was £18,550.

(c) The number of persons summoned for failure to pay was 147; fifty-two cases were heard and the judgment amounted to £81; of which £25 4s. was received before the end of December, 1928.

(d) This amount includes penalties and costs.

(e) The total realised excluding penalties and costs amounted to £17 8s. at December 31st, 1928.

(f) The penalties are paid into revenue as income tax. The costs are paid in as Court fees.

The answers to questions (c) and (e) do not include figures from the district of Epe and Badagry, the exact details of which are not yet available.

THE HON. THE MEMBER FOR THE WARRI-BENIN DIVISION (MR. I. T. PALMER):—

33. To ask whether Government is aware that Benin City is growing to be an important trading centre? And if so,

(a) What steps are being taken with regard to the evacuation of produce?

(b) Whether Government is prepared to undertake the reclamation of swamp roughly one mile on Sapele side of Ologbo Bridge, situate nine miles distance Sapele-Benin Road?

(c) To grant lease of such re-claimed land to prospective applicants?

HIS HONOUR THE ACTING LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

The Government is aware that Benin is growing in importance as a trading centre but no practicable proposals have so far been put forward by the trading interests concerned for increasing the facilities for the evacuation of produce.

(b) and (c) No scheme of the nature indicated appears to have been brought to the notice of the Government before, and the matter has accordingly not been considered. The second part of the question does not therefore arise. The suggestion will, however, be referred to the Resident for a report, but the Honourable Member doubtless appreciates the fact that the land to which he refers does not belong to Government.

THE HON. THE MEMBER FOR THE WARRI-BENIN DIVISION (MR. I. T. PALMER):—

34. To ask what step the Government is taking for the establishment of—

(a) Suitable and commodious African hospital at both Sapele and Kwale Districts?

(b) A European hospital at Sapele?

THE HON. THE ACTING DIRECTOR OF THE MEDICAL AND SANITARY SERVICE:—

Suitable African Hospital accommodation at Sapele will be built when the financial state of the country permits. It is not at present proposed to build an African Hospital at Kwale. The Medical Officer, Sapele visits Kwale at regular intervals and when specially summoned.

(b) A European Hospital at Sapele is not considered necessary. The European Hospital at Warri supplies present needs.

(c) What the rent is per shed; how much money was owing as arrears of rent at the close of last year and how many of the sheds are unoccupied at the present time?

THE HON. THE COMMISSIONER OF LANDS:—

The cost of construction of Obada Market to 31st December, 1928, was £308. The canal which is one mile long, thirteen feet wide and 3½ feet deep cost £917.

(b) Several hundred temporary market sheds were erected by the stall-holders themselves at their own expense, and at no cost to the Government.

(c) There is no rent for the sheds and 1s. per month only is charged in advance for occupation of a plot. There are no arrears. I may add that nearly all the temporary sheds have now been removed to make room for permanent stalls which are now in course of erection.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

31. To ask how long was the Government Dispensary at Bonny in existence before it was closed down, as reported a few days ago?

(b) What is the estimated population of Bonny and the surrounding places whose sick had been attending this hospital for medical treatment?

(c) What is the total number of patients, and the daily average attendance, during the five years ended December, 1928?

(d) What is the reason for closing the dispensary down? And

(e) What provision has the Government made in order that the Bonny community and district may not be deprived of the privilege of medical treatment which is their just due and to which they have been accustomed all these years?

THE HON. THE ACTING DIRECTOR OF THE MEDICAL AND SANITARY SERVICE:—

Bonny was a Medical Station for many years but the actual date when it was opened up is unknown. It was closed down in 1924.

(b) The population of Bonny in 1921 was about 2,000, but it is not possible to give figures for such places as may have been served by the Bonny Medical Station.

(c) In view of the answer to (a) does not arise.

(d) Since the opening of Port Harcourt, Bonny has steadily declined, administratively and commercially until its importance, relative to that of other places, no longer justified its being retained as a Medical Station.

(e) The Government has provided large and fully-equipped hospitals at Port Harcourt, of which the people of Bonny and the neighbouring district are availing themselves.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

32. To ask for a statement setting forth the following:—

(a) The expenditure involved in the operations of the Income Tax, Colony Ordinance, 1927, during the eight months ended December, 1928?

(b) The provisional estimate and the actual revenue from the Income Tax during the same period?

(c) The number of persons summoned for failure to pay during the same period, and the amount realised thereby?

(d) Whether this amount includes fines imposed by doubling the Income Tax, as well as costs awarded by the Court? If so,

(e) What is the actual amount realised not including fines and costs? And

(f) Whether these fines and costs are paid into the general revenue as court fees or as Income Tax fees?

Council. The total rent roll for the nine months ended December, 1928, if all these houses were occupied would be £1,689 15s. The actual receipts were £259 8s. 6d.

(b) As stated there are eighty-four houses erected by the Town Council and the number unoccupied on 31st December, 1928, was sixty-six. The arrears of rent on that date were £3,160.

There are also 231 old houses acquired by Government of which 209 are occupied, the remainder being mostly uninhabitable. The arrears of rent were £70 on 31st December, but these arrears are coming in well.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

28. To ask whether Government will state for the information of Honourable Members the aggregate cost of the Yaba Settlement Scheme up to December, 1928?

(b) *Disallowed.*

(c) *Disallowed.*

(d) Whether it is true that another type of houses are being experimented upon?

(e) Whether it is also true that these houses do not conform to the requirements of the Building Regulations?

(f) *Disallowed.*

(g) To ask on whose authority and why were they passed?

THE HON. THE COMMISSIONER OF LANDS:—

The total expenditure on the Yaba Settlement to 31st December, 1928, was £267,700. Of this £214,132 was expended in compensating the inhabitants for land and buildings and £39,000 was spent by the Town Council on development and refunded by the Government on 1st April, 1927, when the Town Council ceased to be responsible for development. The direct expenditure on development by Government since 1st April, 1927, when it took over development from the Town Council has been £14,568.

(d) Yes.

(e) The houses all conform to the bye-laws except the kitchens of one type which is still under discussion with the Town Council. Alterations to the bye-laws have been agreed to in order to assist in providing good houses in which the poorer classes can afford to live and the houses, when finished, will be in accordance with the bye-laws or the bye-law as amended.

(g) Does not arise.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

29. To ask whether Government's removal of duty on commodities such as foodstuffs is not for the express purpose that the benefits derivable thereby may be passed on to the general public? If that be so,

(b) To ask whether Government is satisfied by enquiry that the benefits accruing from the removal last year of duty on provisions are being extended in any appreciable manner to the general community?

THE HON. THE COMPTROLLER OF CUSTOMS:—

The answer to both questions is in the affirmative.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

30. To ask whether Government will state for the information of Honourable Members the cost of Obada Market and Obada Water-way, Yaba, up to December, 1928?

(b) How many market sheds have been erected, and at what cost per shed?

(b) As on all these occasions the Court offices have been open for the transaction of all business and a Magistrate has been available to sign any urgent papers, to remand prisoners or to grant bail, no hardship was caused to the community and as little inconvenience as possible was caused to litigants. The Government is pleased to note the Honourable Member advocates the creation of Justices of Peace, which is a matter that is engaging the attention of Government.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

25. To ask how many houses have been demolished in connection with anti-plague measures up to December, 1928?

(b) Whether the demolitions were in every instance by the order of the Court?

(c) *Disallowed.*

THE HON. THE ACTING DIRECTOR OF THE MEDICAL AND SANITARY SERVICE:—

Up to 31st December, 1928, 221 houses were demolished in connection with anti-plague measures. This total includes ninety-seven houses demolished in Abeokuta Province, the remaining 124 demolitions being in Lagos.

(b) The answer is in the negative.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

26. To ask whether Government ever paid compensation for any of the houses ordered to be demolished? If so,

(b) To ask how many owners have received compensation, and what is the aggregate amount of compensation money paid up to December, 1928?

(c) Whether owners are still receiving compensation?

Disallowed.

(d) *Disallowed.*

THE HON. THE ACTING DIRECTOR OF THE MEDICAL AND SANITARY SERVICE:—

Yes.

(b) 102 owners in Lagos received compensation totalling £11,796 13s. 8d. in respect of demolition of ninety-nine properties in Lagos up to 31st December, 1928.

In the case of Abeokuta Province the number of owners compensated is not known but up to the end of 1928, a total of £353 was paid to Abeokuta Native Administration for distribution among owners whose properties were demolished.

(c) No. Houses are now being demolished when they are in such a gross insanitary state as to constitute nuisances under section 7 of the Public Health Ordinance, and then only when the sole means of abating the nuisance is demolition.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

27. To ask for a comparative statement of (1) the provisional estimate, and (2) the actual revenue, for the nine months ended December, 1928, for the houses erected by Government in the Yaba Settlement?

(b) The number of houses in the Settlement; the number unoccupied; and the amount of arrears of rent due at the end of December, 1928?

THE HON. THE COMMISSIONER OF LANDS:—

There were no houses erected by Government in the Yaba Settlement but there were eighty-four houses erected by the Town

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT :—

In such parts of Kaduna, Ibadan, Warri and Benin as have been declared to be Supreme Court areas the Supreme Court and Native Court exercise concurrent jurisdiction subject to the limitations imposed by section 9 of the Native Courts Ordinance. In such other parts, if any, of those places aforementioned the Provincial Court and the Native Court exercise concurrent jurisdiction subject to the limitations imposed by section 9 of the Native Courts Ordinance.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

22. In view of the large and increasing number of legal practitioners (African) in the Colony, to ask whether there is any objection to the opening of the Legal, Judicial, or Administrative Department of the Civil Service to applicants in this branch of the profession? If so,

(b) Whether Government will give a clear indication of this objection?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT :—

The reply to the first part of the question is in the negative. In this connexion, the attention of the Honourable Member is invited to the replies to two similar questions given at meetings of this Council held on the 11th February, 1924 and the 23rd August, 1927, to which Government has nothing to add. The text of the replies will be found in the printed Debates, in the case of the former at pages 36 to 37 of the First Session, 1924 and in the case of the latter at page 6 of the Fifth Session, 1927.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

23. To ask whether there are any Service Regulations for Europeans on lines similar in principle to those under which Drs. Manuwa and Savage are engaged?

(b) *Disallowed.*

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT :—

The Service Regulations under which Drs. Manuwa and Savage are engaged are of the nature of an agreement covering a period of two years. No similar Service Regulations exist for Europeans. These agreements provide special advantages for newly-qualified African Medical Officers to gain clinical experience at Government expense at the larger hospitals in Nigeria, experience which newly-qualified Europeans invariably acquire, mainly at their own expense, at hospitals in Great Britain before joining the West African Medical Service.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

24. To ask how often have the district courts of Lagos had to suspend sittings through temporary absence of the Police Magistrates, from illness or any other cause, during the years 1926, 1927 and 1928?

(b) Whether the temporary absence is not causing such hardship to the community as to call for the consideration by Government of the advisability of creating Justices of Peace for the municipal area of the town with power to sit on the bench whenever occasion arises?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT :—

On three business days in 1926, on eight business days in 1927, and on six business days in 1928 no Police Magistrate sat at the Saint Anna Court. On each occasion a notice was sent to the Police and posted at the Court House.

On only one business day during the three years has no Police Magistrate sat at the Ebute Metta Court. This was by a special arrangement made by the Chief Justice after long notice and no cases were fixed for trial on that day.

Yoruba Reader; that when they were promoted to the Primary Department they began with Standard I (English), and continued with the Third Yoruba Reader; and so on?

(c) Whether such a system if encouraged and, if necessary, improved upon on the same lines, is ever likely to prejudice the vernacular as a medium of instruction in the schools?

(d) If so, how?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

Although the general scheme of instruction suggested in part (a) of the question was in force in some schools, of the Yoruba country, it was by no means general in all. A study of the syllabus for elementary schools given in the Education Code (Colony and Southern Provinces) should convince the Honourable Member that where instruction in English is available the system suggested in parts (b) and (c) of his question is "encouraged and improved upon." Such a system does not prejudice the use of a vernacular as a medium of instruction.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

19. English being the official as well as the commercial language in Nigeria, and as practically all the books used in the life-long education of a child are written in English, to ask whether it will not be in the best interests of the child to begin the learning of English as early as possible?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

Experienced educationists in this and other parts of the Empire have come to the definite conclusion that the first instruction given to small children should wherever possible be in the language used in their own homes. As an example the attention of the Honourable Member is drawn to elementary schools in Wales, where the infant classes are taught in Welsh and not in English. It is considered to be in the best interests of the child that instruction in English should be commenced in the Primary Department.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

20. To ask whether it is a fact that the installation of electric light is on a more technical basis, and therefore safer, in some parts of the town than in others?

(b) Whether it is true that some houses are connected with main-lines by means of insulated wires, whereas in other houses, ordinary bare wires are used? If so, and in view of the loss of life that has occurred, or may occur, especially in the breaking of over-head wires, to ask whether steps may not be taken to minimise as far as possible the chances of any such danger?

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS:—

There is no difference in the technical basis of the supply to any part of the town. The whole distribution was completely changed over to the more up-to-date system in November, 1927.

(b) Under certain conditions the outside service wires of some houses are insulated; but generally speaking insulation is undesirable unless absolutely necessary as, if exposed to weather it is liable to deteriorate rapidly and so give a false sense of security.

In order to minimise the possibility of wires breaking, a much heavier gauge is used than is electrically necessary; further alterations to the distribution and to service wires are to be carried out which will minimise the chances of a wire being electrically dangerous in the event of it falling, and will give all reasonable protection from danger of shock from service wires.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

21. To ask whether Government will state, for the information of Honourable Members, the number of courts with concurrent jurisdiction to function in places like Kaduna, Ibadan, Warri, Benin, etc.?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT :—

As far as can be ascertained in the short time available, during the four years ended December, 1928, twenty persons have been convicted and sentenced for perjury and eight persons for contempt of Court in the Supreme Court of Nigeria.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

15. To ask whether it is true that Dr. Olusoga, M.B., Ch.B. (Edinburgh) was arrested at Ijebu Ode in October or November last year, that bail was refused, and that no charge was preferred against him until he had been in the lock-up for four days?

(b) *Disallowed.*

THE HON. THE ACTING SECRETARY, SOUTHERN PROVINCES :—

The accused was arrested in the afternoon of the 2nd of November on a charge of being an accessory after the fact to murder and in view of the nature of the charge bail was refused.

It is not true that Dr. Olusoga was imprisoned for four days without a charge being preferred against him. The charge was explained to him immediately after his arrest and after receiving a caution he elected to make a statement which was taken down in writing and signed by him. The case was proceeded with on the following day.

The second part of the question is disallowed.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

16. The importation of kola nuts into Nigeria being practically for the purpose of consumption as foodstuff, to ask whether Government will not consider the necessity of bringing that commodity into line with the other foodstuffs by placing it in the schedule of duty-free goods?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT :—

Kola nuts being in the nature of a luxury rather than of a foodstuff, Government is not prepared to make any alteration in the Import Duty. The Honourable Member is referred to the reply to a similar question asked by him at the Second Session of Legislative Council on 16th October, 1924.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

17. To ask whether it is a fact that vernacular education experimented upon by Government in the Northern Provinces these many years has not been a success?

(b) Whether Government will give some indication of the extent to which pupils, who have been trained in Hausa in accordance with this experiment, have in after years been of service in the clerical departments of Government or to the mercantile houses?

HIS HONOUR THE LIEUTENANT-GOVERNOR, NORTHERN PROVINCES :—

The answer to the first part of the question is in the negative.

(b) In regard to the second part, of 1,816 boys who left school during the years 1923 to 1927 twelve are employed in clerical work under Government or in mercantile houses, eighty occupy non-clerical Government posts and 713 are in the employment of Native Administrations.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES) :—

18. To ask whether it is not a fact that in the schools in the interior of the Yoruba country the education, before the new Code was introduced, used to be bi-lingual throughout?

(b) That Yoruba used to be taught in the Infant Department, where the children began with the First Yoruba Reader; that they then learnt the English alphabet, and continued with the Second

19. The Paymaster, Railway.
20. The Senior Accountant, Railway.
21. The Postmaster-General.
22. The Deputy Postmaster-General.
23. The Chief Accountant, Posts and Telegraphs.
24. The Engineer-in-Chief, Posts and Telegraphs.
25. The Government Printer.

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

It is not possible to say in detail what duties are expected to be performed in their houses by the officials named. Telephones have hitherto been approved because Heads of Departments have represented that matters of urgency do arise outside office hours which require immediate attention. The Government has had under consideration the question whether some of these telephones cannot be cut out and intends to submit the list to the closest scrutiny.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

12. To ask whether any enquiry has been held since complaints about the bed, bedding, clothing, accommodation, or treatment, of patients in the I.D. Hospital, Ikoyi, were lodged last month in the office of the Honourable the Administrator? If so,

(b) To ask who were the members of the commission that held the enquiry?

(c) Whether Government will not make a statement of the true condition of affairs, prior to, and as revealed by the enquiry?

(d) What changes, if any, was it found necessary to make as the outcome of the enquiry? And

(e) How do the conditions obtaining at the present time compare with those that obtained at the time of the complaints?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

Yes; after reading the statement as reported in the *Daily Times* of 28th December, 1928, of an interview between the Administrator and a deputation of the Lagos people the Acting Director of the Medical and Sanitary Service made personal enquiries at the Infectious Diseases Hospital.

(b) No Commission was appointed but departmental enquiries were made by the Acting Director of the Medical and Sanitary Service, the Acting Deputy Director of the Sanitary Service and the Assistant Medical Officer of Health, Lagos.

(c) The enquiry did not reveal that the conditions described by the deputation existed prior to the enquiry.

(d) No changes have been made with regard to patients. But in the case of contacts it has been arranged that their personal clothing after disinfection shall be returned to them immediately.

(e) The conditions are the same except for the alteration with respect to the clothing of contacts referred to in (d).

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

13. To ask whether Government is entertaining any intention of removing the constabulary force of Lagos from its present control and of placing it under that of the Lagos Town Council?

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

The reply is in the negative.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

14. To ask how many persons have been convicted and sentenced in the Supreme Court of Nigeria (1) for perjury, and (2) for contempt of Court, during the four years ended December, 1928?

(b) The audit of Native Administration accounts is made by Administrative Officers under the supervision of the Resident. The extent to which these officers are directly responsible for Native Administration expenditure varies with the degree of advancement of the Native Administration concerned.

(c) No. The Government does not consider that the time is yet ripe for formal audit of Native Administration accounts, but the question of appointing an Examiner of Native Administration accounts for the Southern Provinces—an appointment which has been approved for the Northern Provinces—will receive the consideration of Government in due course.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

7. *Disallowed.*

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

8. *Disallowed.*

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

9. *Disallowed.*

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

10. To ask whether the Honourable the Administrator of the Colony has had occasion to assess, for the purpose of income-tax, the income of any individual at a higher rate than what the individual himself declared? If so,

(b) To ask on what basis of calculation has the higher rate been assessed, and how is the assessment being justified?

THE HON. THE ACTING ADMINISTRATOR OF THE COLONY:—

The answer to the first part of the question is in the affirmative.

The Administrator bases his calculation on the information at his disposal.

Up to date there have been no appeals from his assessment.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

11. To ask for a detailed statement of the duties performed, or expected to be performed, by the undermentioned officials in their respective private residences during or outside official hours, for the due performance of which telephones have been installed and are being maintained in these private residences at public expense, over and above the installations in the offices of the officials? Namely,

1. The Government Auditor.
2. The Government Deputy-Auditor.
3. The Director of Education.
4. The Deputy Director of Education.
5. The Assistant Director of Education.
6. The Commissioner of Lands.
7. The Personal Assistant to the Director of Marine.
8. The Deputy Director of Public Works.
9. The Assistant Director of Public Works.
10. The Chief Inspector, Public Works Department.
11. The Mechanical Engineer, Public Works Department.
12. The Surveyor-General.
13. The Deputy Surveyor-General.
14. The Assistant Surveyor-General.
15. The Senior Assistant Treasurer.
16. The Deputy General Manager, Railway.
17. The Assistant to the General Manager, Railway.
18. The Senior Assistant Auditor, Railway.

(b) How many were actually executed under the sentences of these Courts?

(c) Whether it is not a fact that all these cases were tried without counsel and sentenced by Judges sitting without jury?

(d) *Disallowed.*

(e) *Disallowed.*

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT:—

(a) 1. Sixty-eight persons.
2. Three hundred and eighty persons.

(b) 1. Fifty persons.
2. Two hundred and sixty-three persons.

(c) The answer is in the affirmative.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

4. In view of the fact that every native tribunal has full jurisdiction and power in all civil cases in which each of the parties is a native, and in all criminal cases in which each of the parties is a native, to ask whether there is any right of appeal from the Native Appeal Court to the Supreme Court of Nigeria?

(b) *Disallowed.*

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

The facts are not as stated in the question. The full jurisdiction is limited in the case of each Court to the extent set forth in its warrant. There is no appeal from a Native Appeal Court to the Supreme Court of Nigeria.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

5. In view of the fact that a native tribunal in the Protectorate may permit certain persons, *viz.*: wife, husband, guardian, servant, master, etc., of a household of any plaintiff or defendant, who shall give satisfactory proof thereof, to appear for such plaintiff or defendant, to ask for a statement setting out the reason, or reasons, against the appearance of a legal practitioner in such native tribunal? And

(b) Whether the legislature contemplates interdicting from appearing in such native tribunal any such person as mentioned above who may also be a legal practitioner?

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

The reason is these tribunals have been established for the purpose of administering Native Law and Custom, which is understood by the people. The appearance of legal practitioners on behalf of plaintiff or defendant is foreign to Native Law and Custom, and would have the inevitable result of breaking down Native Law and Customs, and of substituting a parody of English law and English legal procedure.

(b) Any person who is a legal practitioner is debarred from appearing or acting for any party before a native tribunal by section 20 of the Native Courts Ordinance.

THE HON. THE FIRST LAGOS MEMBER (DR. C. C. ADENIYI-JONES):—

6. To ask whether Native Administration accounts of expenditure are being subjected to any system of audit? If so,

(b) Whether it is not a fact that the officers who are responsible for the expenditure are themselves the auditors? And

(c) Whether the latest reports of such audits could be made available for the purpose of laying them on the table for the information of Honourable Members?

THE HON. THE ACTING SECRETARY FOR NATIVE AFFAIRS:—

Yes, one of the principal duties of Administrative Officers is to keep a close check upon the Native Administration Revenue and Expenditure.