



NIGERIA

Legislative Council Debates

Twenty-Third Session

7th and 8th February, 1946

NOTE

An asterisk (*) against a speaker's name denotes that the transcribed speech has not been revised by the speaker.

Debates in the Legislative Council of Nigeria

Thursday, 7th February, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Thursday, the 7th of February, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G. O.B.E.
- The Acting Director of Education,
The Honourable T. H. Baldwin.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable W. J. E. Rodwell.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Honourable F. E. V. Smith, C.M.G.
Development Secretary.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiog, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.

ANNOUNCEMENTS

His Excellency :

Gentlemen, Honourable Members will remember that at the last meeting of Council they passed a Resolution expressing a deep sense of appreciation to the British Government for the generous allocation to Nigeria of twenty-three million sterling on behalf of Development.

Honourable Members will be interested to hear that I have received the following reply from the Secretary of State:—

“ Your telegram 1272. Please thank the Legislative Council for their resolution of thanks, which has been noted here with appreciation.”

PAPERS LAID

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following papers:—

Sessional Paper No. 28 of 1945—Annual Report of the Education Department for the year ended 31st March, 1945.

Sessional Paper No. 29 of 1945—Political and Constitutional Future of Nigeria—Secretary of State for the Colonies' Despatch No. 397 of the 4th of December, 1945.

Sessional Paper No. 1 of 1946—Report of the Commission on Higher Education in West Africa.

Sessional Paper No. 2 of 1946—Annual Report of the Medical Department for 1944.

Sessional Paper No. 3 of 1946—Reports of the Commission on Higher Education in West Africa and of the Commission on Higher Education in the Colonies: Secretary of State for the Colonies' Despatch No. 334 of the 1st of October, 1945.

Sessional Paper No. 5 of 1946—Report of the Commission on Higher Education in the Colonies.

Report of the Standing Committee on Finance for the period November-December, 1945.

Subsidiary Legislation made since the last meeting of the Council.

The Hon. F. E. V. Smith, C.M.G., Development Secretary :

Your Excellency, I beg to present and lay on the table the Report of the Select Committee appointed to consider the Ten-Year Plan of Development and Welfare for Nigeria set out in Sessional Paper No. 24 of 1945.

QUESTIONS

NOTE.—Replies to Questions Nos. 2 and 3 by the Honourable the Member for the Rivers Division, No 12 by the Honourable the Member for the Ijebu Division, No. 19 by the Honourable the Member for the Ibibio Division, Nos. 22, 23 and 25 by the Honourable the Member for the Colony Division, Nos. 28, 29 and 31 by the Honourable the Member for the Rivers Division, Nos. 37-50 by the Honourable the Member for the Ondo Division, Nos. 51-67 by the Honourable the Second Lagos Member, Nos. 68-71 by the Honourable the Member for the Calabar Division are not yet ready.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

1. (*Question No. 52 of the 10th of December, 1945*). To ask:—

Will Government please expedite the filling up of the vacancy for Magistrate at Ikot-Ekpene thereby relieving the present congestion and the irregular and prolonged visits of the Magistrate, Aba?

Answer—

The Hon. the Chief Secretary to the Government:

The situation is well appreciated but the present shortage of staff makes it impossible to assign Ikot-Ekpene a Magistrate Grade I.

The Magistrate Aba has been relieved of some of his work, which has been taken over by the Magistrate Opobo.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

4. (*Question No. 48 of the 10th of December, 1945*). To ask:—

Regarding industrialisation of Nigeria for economic development of the country, what forms of industry are intended by the Government to be stabilised and subsidised from the Colonial Welfare and Development fund, to meet the exigency of crisis in war times and otherwise?

Answer—

The Hon. the Chief Secretary to the Government:

Government is considering the question of some form of price stabilization in connection with certain agricultural products but is unable to make any pronouncement on the subject at the present moment. It is not intended to ask for assistance under the Colonial Development and Welfare Act for such purpose.

The Honourable Member is referred to the appropriate section of the "Ten Year Development and Welfare Plan for Nigeria", which will be laid on the Table shortly, in regard to proposals for the development of and assistance to indigenous industries. Assistance has already been promised from the Colonial Development and Welfare Vote towards the organization necessary for the development of the Peasant Textile Industry, and a scheme is included in the Plan for the development of Fisheries in Nigeria from Nigerian funds.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari):

5. (*Question No. 73 of the 10th of December, 1945*). How many magisterial areas of grade 1 (a) in the Northern Provinces (b) in the Southern Provinces of Nigeria in each of which men qualified as Barristers and or Solicitors have been permanently posted as Magistrates?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The Northern Provinces excluding Ilorin and Kabba Provinces are divided into two Magisterial Districts: one Magistrate Grade I is a barrister, the other is neither a barrister nor a solicitor.

Ilorin and Kabba Provinces are included in the Ibadan and Benin Magisterial Districts which are in the charge of African Magistrates.

(b) The Southern Provinces are divided into fifteen Magisterial Districts: three Magistrates Grade I are not barristers or solicitors.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari):

6. (*Question No. 75 of the 10th of December, 1945*). Further to ask how many African Magistrates have in the last 14 years been posted to administer justice in any part of the Northern Provinces? If any of them have been so posted, to ask in what Province or Provinces in the last 14 years?

Answer—

The Hon. the Chief Secretary to the Government:

The Provinces of Ilorin and Kabba in the Northern Provinces are included in the Ibadan and Benin Magisterial Districts which have been in the charge of three African Magistrates during the last six years.

No other African Magistrates have been posted to the Northern Provinces.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari):

7. (*Question No. 77 of the 10th of December, 1945*). Is the price of tin production controlled in the same way as price of cocoa is controlled?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir. The price of tin metal is controlled by the Ministry of Supply. Producers are paid a free alongside ship price which varies in accordance with the metal content of the ore.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimicari):

8. (*Question No. 78 of the 10th of December, 1945*). Is it not a fact that the Ministry of Supply in England has paid Mining companies and individual miners in Nigeria a profit or remuneration above the control price of tin fixed at £190 per ton? To ask for a statement to be made in connection with the extra money paid to Mining Companies and individual miners above the control price?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir. The Ministry of Supply entered into contracts with certain mining companies, now referred to as "costed producers", under which the same basic profit was guaranteed as was earned by those producers in the last period of free trading before the introduction of controls. The amount paid to cover increased costs and maintain this profit has varied with each producer, and as this is a matter entirely between the Ministry of Supply and the producers concerned, no statement as to the amounts involved can be given by this Government.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimicari):

9. (*Question No. 79 of the 10th of December, 1945*). How many tin Mining Leases have been pegged and beacons either by mining companies or individual miners which Mining Leases have not been worked (a) in the last 10 years and (b) in the last 5 years. What are the acreages in (a) and (b) Further to ask whether the Government will still grant new tin mining leases to such mining Companies or individual Miners?

Answer—

The Hon. the Chief Secretary to the Government.

With the present shortage of staff I regret that it is not possible to give the details which are asked for.

All mine operators are required by law to work their leases to a minimum standard laid down by General Minerals Regulation 32 unless the lease has been "grouped" under General Minerals Regulation 32 (6).

In the case of grouped leases a mine operator may concentrate his total obligations for the group on one or more of his leases.

This system encourages efficient and systematic mining and is essential if the mineral resources of Nigeria are to be properly worked.

The grant of mining leases is governed by the provisions of the Minerals Ordinance and the Regulations made thereunder and leases for tin ore are not granted to companies or individuals who are unable to fulfil their obligations.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimicari):

10. (*Question No. 80 of the 10th of December, 1945*). Is it the Government policy to encourage the monopoly of tin industry among a certain class of the community of granting new mining tin areas to those who have not worked their leases for some years?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir.

The Member for Calabar (The Rev. & Hon. O. Efiang):

11. (*Question No. 86 of the 10th of December, 1945*). (a) How many Government Schools are there in which the Headmaster's pay is the same as the salary of some of his subordinate teachers?

(b) Will the Director of Education name those Schools?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Twelve.

(b) Asaba, Benin, Uromi, Abak, Eket, Afikpo, Ajalli, Awka, Owo, Ahoada, Sapele, Kaduna.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

13. (*Question No. 104 of the 10th of December, 1945*). To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether it is a fact that in response to representations from Federal Union of Native Administration Staffs, Government threw open the award of scholarships to Native Administration employees early this year and selected three out of several applicants?

(b) If the reply is in the affirmative, who are the three candidates selected and to what administration do they belong?

(c) Have arrangements been perfected for them to proceed abroad for further studies? if not

(d) What are the causes of delay in perfecting necessary arrangements in their case, in view of the fact that several scholarship candidates selected after them have actually sailed?

Answer—

The Hon. the Chief Secretary to the Government:

(a) It was decided in 1944, though not as a result of representations by the Federal Union of Native Administration Staffs of Nigeria, that suitable persons in the employ of Native Administrations should be considered for the award of scholarships tenable overseas to be provided from central Government funds.

(b), (c) and (d). Five Native Administration employees were selected for the award of scholarships in 1945 subject to completion of satisfactory arrangements to take the courses proposed. Four were from Northern Provinces' Native Administrations and one from an Eastern Provinces' Native Administration. The four Northern Provinces' scholars were Mallams Bello Kano, Yahaya Gusau, Mora Kaiama and Abubakar Tafawa. Their courses were arranged and they have proceeded to the United Kingdom. In the case of the Eastern Provinces' candidate it was not possible to complete arrangements for a suitable course of study.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

14. (*Question No. 105 of the 10th of December, 1945*). To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether it is a fact that a number of literate chiefs in the Ijebu-Ode Native Administration petitioned against the smallness of their stipends, the highest of which works out at 2s per day, about the year 1940, and that up till now they have obtained no redress?

(b) Also whether an adjustment in similar cases of chiefs in the Ijebu Remo Division had been made about a year ago?

(c) If the reply to (b) above is in the affirmative, is there any special reason why similar consideration is withheld in the case of the chiefs referred to in (a) above?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) Three literate Chiefs with salaries of £36 per annum each under the Ijebu Native Administration petitioned for increased salaries in 1941. It was not possible to grant their request since any increase in the percentage of tax, on which the salaries of Village Heads are based, would have involved a limitation of public services which was not considered to be in the general interest.

(b) Yes, Sir.

(c) Yes, Sir. Government observes certain principles in approving maximum salaries for Chiefs, in proportion to the amount of tax collected in their towns and having regard to the duties and responsibilities the Chiefs are required to undertake. In accordance with these principles increases were found to be justified in the case of certain Ijebu-Remo Chiefs and not in the case of the Chiefs who petitioned under the Ijebu Native Administration. In this connection the Honourable Member is referred to the reply to Question No. 6 at page 5 of the Legislative Council Debates of August, 1945.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

15. (*Question No. 110 of the 10th of December, 1945*). To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether it is a fact that with the expansion of Ijebu-Ode town in recent years, representations have been made for extension of the water supply to the extended parts of the town?

(b) If so, why is provision for the enlargement of the water supply to these parts not included in the programme for the Urban Water Supplies Development Scheme for 1945-46?

(c) Will Government kindly make recommendations to include in the Scheme for 1945-46 provision for Ijebu-Ode town to meet the desire of the inhabitants?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) Recommendations have been received regarding the order of priority in which Urban Water Supplies should be installed in the Western Provinces and Ijebu Ode is placed high on that list of priorities. Shortage of staff will, however, preclude work being commenced on this project in 1945-46.

(c) Please see the reply to part (b) of the question.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

18. (*Question No. 109 of the 10th of December, 1945*). To ask the Honourable the Financial Secretary:—

(a) Why Native Authority staffs do not receive travelling allowances such as are paid to Government staff?

(b) Is it not the policy to treat Government and Native Administration staffs alike in this matter?

Answer—

The Hon. the Chief Secretary to the Government :

(1) In the Northern and Western Provinces Native Administration staff receive travelling allowances at rates and on conditions generally similar to those applicable to Government staff. In the Eastern Provinces this is not so, but contrary to the practice in the other two groups of Provinces, Native Administration employees do not pay rent for quarters. When the question was last examined, it was held that, in view of this special privilege, travelling allowances should not be paid. The question will now be further examined.

(2) The principle of giving generally similar conditions of service to corresponding grades of Government and Native Administration employees has been accepted by the Government but the process of assimilation must have due regard to antecedents and special local conditions.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.) :

20. To ask the Honourable the Commissioner of the Colony:—
What amenities do the following places in the Colony Division get in return for the taxes collected from them:—Ajiran, Moba, Aja, Ajido, Langbasa, Baiyeku, Oreta, and adjacent Lagoon villages; also Agboyi, Odo-Ogun, Oworonsoki, Ogudu and villages within their areas?

Answer—

The Hon. E. A. Carr (Commissioner of the Colony) :

Ajiran, Moba, Aja and Langbasa lie within the Eti Osa Area. Owing to lack of co-operation and to pre-occupation with land and other disputes, the people of this area are not ready to accept the corporate responsibility of a Native Authority and to reach agreement on projects for their common good. Nevertheless a school has been provided at Aja and provision is made for the erection of a dispensary during the year 1946-47. Funds not expended are being kept in reserve and will be devoted to the good of the area when the interest and co-operation of the people concerned can be aroused.

Baiyeku lies within the Ijede Native Authority Area. The Native Administration provides a school for the village and the people enjoy court, health and other services provided generally for the area. Baiyeku is fully represented in the Native Authority and its representatives have a voice in the disbursement of Native Administration funds.

Oreta lies within the Ikorodu Native Authority Area. Provision is made for a school for the village during the current year and the people enjoy well developed health, court, and marketing services generally provided for the area. Oreta is represented in the Native Authority and its representatives have a voice in the disbursement of Native Administration funds.

Agboyi, Oworonshoki, Ado Ogun and Ogudu lie within the Ikeja Native Authority Area. They form part of a village group unit of the Native Authority but there is little co-operation between the individual villages of the group and it has been very difficult to stimulate the interest of their representatives in projects for their common good. They enjoy well developed health, court, marketing and other services provided generally for the area.

Ajido lies within the Egun Awori Native Authority Area. The village has been provided with a school, a native court, and with wells. It enjoys the services generally provided by the Native Administration for the area.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

21. To ask the Honourable the Director of Education:—

(a) If adult education scheme proposed sometime last year by the Education Office has passed the experimental stage?

(b) In what towns is it being tried now? Can a report of successes achieved be given?

(c) How many teachers, male and female are giving voluntary service to carry on the scheme?

Answer—

The Hon. the Director of Education:

(a) No. The scheme is still in the experimental stage.

(b) A full list of towns is not available. Considerable success has been achieved in Udi, Onitsha, Calabar, Warri, Ibadan, Owo, Anehau and Katsina. Further information may be found in Sessional Paper No. 9 of 1945, Chapter X.

(c) It is not possible to give figures at present. Many of the teachers concerned are employed by the Voluntary Agencies who have not submitted figures. It will be appreciated that firm statistics are very difficult to obtain in a scattered, irregular and loosely organised movement such as this. Incidentally it may be noted that many of the Voluntary Workers are not regular teachers at all. They include a considerable number of senior Government Officers, including at least one Resident and, at the other end of the scale, a number of elementary school boys.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

24. Inviting the attention of Government to page 22 of "Proceedings of the Ninth Conference of Chiefs of the Western Provinces of Nigeria, 1945" to ask if the "Village Settlement Schemes" enunciated before the Conference, with an explanatory Address by Mr E. O. Sofodu are going to become general for every part of Nigeria, and absorbed by the Ten Year Development Scheme to enable "the ideals visualised to be realised in the rehabilitation of village life?"

Answer—

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

For information concerning Government policy in the matter of Village Planning and Reconstruction, the Honourable Member is referred to Appendix XIX of the Ten-Year Plan of Development and Welfare for Nigeria, Sessional Paper No. 24 of 1945, laid on the table of this House on 13th December, 1945, wherein are explained the proposals for village reconstruction; to the Town and Country Planning Bill now before this House, which provides the powers necessary to implement village planning and reconstruction schemes and to the Bill for the Nigerian Local Development Board Ordinance also before this Council.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

26. To ask the Honourable the Commissioner of the Colony:--

(a) If Government is aware that the people in the Colony Division who were within the jurisdiction of Ikeja District, now transferred to Epe District, are groaning and longing to be restored to their former organisation?

(b) Will Government reconsider the situation and restore those affected to their former area district?

Answer—

The Hon. E. A. Carr (Commissioner of the Colony):

(a) No, Sir.

(b) Owing to shortage of administrative staff, the Ikorodu, Ijede and Eti Osa areas were placed temporarily under the control of the District Officer, Epe. They will revert to the control of the District Officer, Ikeja, at an early date.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

27. To ask the Honourable the General Manager, Nigerian Railway, Ebute Metta:—

(a) Is it a fact that a dastardly act of sabotage was recently discovered on the rails between Ikeja and Oshodi Stations?

(b) How often and when do the Railway police patrol the lines to prevent a recurrence of such a dangerous deed?

(c) Are there any railway police constables on duty on the lines at night? If not why not?

(d) Will the Honourable the General Manager of the Railway order nocturnal attention to be given to his lines between Agege and Ebute Metta Junction until demobilisation is completed at Lagos?

Answer—

The Hon. the General Manager of the Railway :

(a) In September, 1945, the main line between Sogunle Halt and Ikeja was fouled by some person or persons driving sleeper keys in between the rail joints. The matter was reported to the Police who sent out a patrol to investigate. No persons were arrested. The matter has been taken up with the Commissioner of the Colony with a view to obtaining the co-operation of the Native Authority in that area.

(b) Railway police, as such, do not exist. In areas where the theft of sleeper keys is prevalent the railway has instituted special patrols which have been given some police training and supervision by the Nigeria Police Force.

(c) See (b) above.

(d) Acts of sabotage between Agege and Ebute Metta Junction are no more likely than at any other points on the system and it is quite impossible to patrol every mile of the line.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari) :

30. To ask the Honourable the Development Secretary:—

(a) Is it true that owing to Government interference with the Ikot-Ekpene Raffia Co-operative Society, that the working of that Society has to come to an end?

(b) Why cannot that Society continue with their business of selling their products?

(c) Is it probable that the Adviser on Rural development hinders the effective operation of that Society by refusing export permit to prospective buyers?

(d) For the reasons why Government has under consideration a plan for marketing the products of the Ikot-Ekpene raffia Society?

Answer—

The Hon. F. E. V. Smith, C.M.C. (Development Secretary) :

(a) No, Sir.

(b) No obstacles have been placed in the way of the society disposing of its products, except those imposed by the regulations governing the export of such products which are of universal application.

(c) See paragraph (d).

(d) In order that reliable information might be obtained in the Society's interests with regard to market prospects and the costs of marketing a suggestion was made to and accepted by the Society as to the manner in which a trial consignment should be marketed, and in view of this trial consignment an export permit was, in a particular case, refused.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari) :

32. To ask the Honourable the Director of Education :—

(a) If he is aware of anomalies and inconsistencies which are said to exist in the Education Department and which has caused much dissatisfaction among Government Teachers and Masters? If so, has anything been done to ameliorate their conditions of service?

(b) What consideration has been given to their petition dated the 8th of March, 1944?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir. Consideration has been given to these matters and proposals are in course of submission to Government.

(b) This petition was answered in detail in April, 1944.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo) :

33. To ask the Honourable F. E. V. Smith (Development Secretary) :

Whether in view of the fact that many of the people of Nigeria are illiterates, Government does not think it fitting or necessary that a propaganda Department be established in connection with the Development scheme?

Answer—

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

It is not intended to establish a separate propaganda Department in connection with Development Schemes. Publicity for these schemes is the responsibility of the Area and Provincial Development Committees and the officers administering the schemes. The Public Relations Office also undertakes general publicity.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo) :

34. To ask the Honourable the Director of Marine :

Whether Government will give consideration to the question of making the River Ogun navigable for steamships or motor-boats?

Answer—

The Hon. the Director of Marine :

Government will give consideration to the question of making the River Ogun navigable for self-propelled craft after a detailed survey has been made of the river. This survey will be carried out as early as possible.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo) :

35. To ask the Honourable the Chief Secretary to the Government :

How soon may we expect Imo Post Office in Abeokuta to be equipped with postal boxes and telegraph services?

Answer—

The Hon. the Chief Secretary to the Government :

It is expected that the telegraph service at Imo will be available in February, 1946.

It is not proposed to provide private boxes at this Post Office.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo) :

36. To ask the Honourable F. E. V. Smith (Development Secretary) :

Why the development of the mineral wealth of the country, which is likely to provide work for a good number of people was not included in the Development scheme?

Answer—

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

The Honourable Member is referred to paragraphs 22 and 23 of the "Ten Year Plan for Development and Welfare for Nigeria" (Sessional Paper 24 of 1945) laid on the Table of this House on 13th December, 1945, where it will be seen that further research and survey is required and is being undertaken before any proposals can be formulated for further development of mineral resources.

MOTIONS

The Hon. the Financial Secretary :

Your Excellency, I beg to move the following Resolution :—

Be it resolved: That the Report of the Finance Committee which was laid on the table to-day be adopted.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.) :

Sir, I beg to second.

Resolution adopted

The Hon. E. A. Carr, Commissioner of the Colony :

Your Excellency, I beg to move the following Resolution :—

Be it resolved: That the consent of this Council be hereby signified to the Colony (Jurisdiction of Native Authorities) Order in Council, 1946, made by the Governor in Council on the 11th of January, 1946.

Sir, the Order in Council is designed to extend the jurisdiction of the Native Authorities in the Colony for certain classes of persons, namely, established communities of fishermen and others descended from the tribes of Dahomey and the Gold Coast who have lived most of their lives in the Colony area and who have been accepted as part of the local community; and Natives of Dahomey whose mode of life is precisely similar to that of the Nigerian natives, and who cross the border for temporary visits for the purpose of trade. Prior to the enactment of the Native Authority (Colony) Ordinance, 1943, these people were subject to

the jurisdiction of the Colony Native Authorities, but at present they are not subject to this jurisdiction, since the Ordinance at the moment only provides for natives of Nigeria. It is therefore essential that both these classes of people should again be made subject to the jurisdiction of the Colony Native Authorities and Native Courts, particularly as they have closely identified themselves with the local people and the administration.

Sir, I beg to move.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

Sir, I beg to second.

Resolution adopted.

The Hon. the Acting Comptroller of Customs and Excise:

Your Excellency, I beg to move the following Resolution and Order standing in my name in the Order of the Day:—

The Customs (Preparation of Ores) Resolution and Order, 1946.

This Resolution, Sir, adds a new item to the free list whereby appliances, apparatus, materials, etc., for the preparation of ores for commercial purposes will in future be free of duty. This addition to the free list, Sir, is merely concomitant to the amendment passed at the last meeting of this Council whereby machinery for mining and dredging were made free.

Your Excellency, I beg to move that this resolution be made effective from to-day's date.

The Hon. the Senior Resident, Plateau Province:

Sir, I beg to second.

Resolution adopted.

The Hon. F. E. V. Smith, C.M.G., Development Secretary:

Sir, I rise to move the following:—

“ Be it resolved:

“ That this Council adopts the Report of the Select
 “ Committee appointed to consider the Ten-Year Plan
 “ of Development and Welfare for Nigeria set out in
 “ Sessional Paper No. 24 of 1945 and approves the
 “ Plan as amended by the Select Committee and
 “ recommends its acceptance as the general development
 “ policy of the Government of Nigeria for the next
 “ ten years, subject to periodic review of details in the
 “ light of experience and the inclusion of such additional
 “ schemes as may prove to be necessary as the result of
 “ unforeseen circumstances.”

The Report of the Select Committee has been laid on the Table this morning and circulated to members, together with the proposed amended Plan. When the original motion for reference of the Sessional Paper to a Select Committee was moved, I dealt in some detail with the proposals in the Plan, and therefore shall confine my remarks this morning to the recommendations for amendments which have been made by the Select Committee.

I think I can say, Sir, that the Committee was unanimously in favour of the general principles of the Plan as it stood, although I cannot speak perhaps for one Member, the Honourable Member for Warri, who did not attend.

The substance of this resolution expresses the desire of the Select Committee that this Plan, as amended, should become the general policy for development of this Government, with such minor alterations as may be necessary in the light of experience. The particular alterations are largely as the result of proposals from the Government side arising from slight over-sights or amendments to one or two of the schemes as the result of fresh calculation. In the case of Urban Water Supplies the Committee recommends the provision of an additional £63,000 to cover commitments which were agreed to by Finance Committee during 1945-46 in anticipation of the Plan.

In the case of the Road Development Scheme, the Committee endorsed a proposal that a token amount of £100,000 should be provided in the Schedule of the Development Loan Bill so that if it were found possible to extend the amount of work on roads to be done in the early stages of the Plan, and for which there was not sufficient provision under the Colonial Development and Welfare Scheme, such additional work might be carried out.

In the case of the Electricity Scheme, since the Plan was prepared it was found desirable to re-arrange the programme in order to expedite the installation or extension of certain electricity undertakings in places where it was known that the demand was likely to be very heavy. For that reason it is desirable that the programme of expenditure should be similarly amended. The Committee agreed to support this proposal, and also to include a sum of £100,000 in order that proper offices, both in Lagos and in the more important branch stations of the electricity branch, proper offices and showrooms should be provided.

These proposed amendments have been made, therefore, in the amended Plan. The actual difference in the over-all expenditure is not very considerable.

The Committee was also advised of a Statement of Policy which you have made, Sir, in regard to the future of electrical developments in this country, namely, that all of the existing Government installations and those which are to be provided under the Develop-

ment Plan should be pooled and by stages removed from the Department of Public Works and vested in a Government-owned Electricity Corporation. No doubt that will call for legislation in the future, but I have to advise, Sir, that the Select Committee endorses the proposal and recommends its endorsement by this Council.

In the case of the Marine Development Programme, certain amendments were made to include, at the request of the representatives of the Northern Provinces, surveys of the Benue River, and although it has not been recorded in the report of the Committee, discussion also took place in regard to the water level and navigation in certain parts of the Niger. The Committee also endorsed the proposal that the staff necessary for the development works should be paid for out of Nigerian revenue instead of from loan funds, and the consequent amendment to the figures in the Plan. They also supported the proposal for the replacement of three vessels which had not been previously provided for.

In the case of Medical and Health Services, the Northern Provinces again lifted up its voice, through its rather small number of representatives on the Committee, and due note was taken of the desire that the provision for Hospitals and Rural Health Centres in the Northern Provinces should be extended, if possible, in order to bring the ratio of population per hospital bed to something more approaching that which is aimed at in the Southern Provinces. I might say, Sir, that this will depend to a very large extent on the staff which becomes available, but there is a certain amount of unallocated money for building purposes shown in the Buildings Scheme for the last five years of the Plan, and no doubt, subject to staff becoming available, the Northern Provinces may benefit to some extent from that money in additional hospital facilities.

It was also proposed that in the Creek areas some provision should be made for floating units which would be able to bring medical treatment to the people where transport facilities at present prevent their getting such treatment. The Committee endorses this proposal, Sir, and it is hoped that some means may be found of providing such facilities. In fact, I am informed by the Director of Medical Services that he already has some ideas on the subject which he is proposing to put into effect from the money provided under the Plan.

The question of native medicines and drugs was mentioned in regard to research, but a general recommendation on research is included in another place in the Report.

In the case of Leprosy Control, the North again lifted up its voice, and it was explained that there are difficulties in dealing with lepers in those areas where people are not ready to respond to treatment and control. Nevertheless, a recommendation has been

made, and it is hoped that this may be given effect at a later stage and possibly from some of the token money which has been put in for later stages of the plan under Leprosy Control.

On the subject of General Education, the Committee was disappointed to find that the Secretary of State has not yet found it possible to approve of the General Education Development Scheme which had been submitted to him. Even up to the present moment we have not had the Secretary of State's views. It was thought that it may be necessary to make some amendments as the results of these when received and consequently, the Committee made a recommendation on the lines which is set out in the Report. It may be necessary for that scheme to be referred back to the Select Committee at a later date.

The Committee took note that there had been a miscalculation in the provision for Buildings under the Education scheme; by an over-sight the amount had been included in two places. Consequently there is a substantial reduction in the total amount asked for under the General Plan.

In connection with the Literature Bureau the Committee thought it would sound less parochial if the word "Zaria" were removed and replaced by "Hausa", and it was also asked that consideration should be given to the establishment of similar bureaux to deal with other languages and vernaculars.

The Agricultural Development Scheme was very strongly supported, and certain members in particular asked that it should be pursued with the very greatest vigour because it is fundamental to all other development in this country. The Committee took note of the fact that difficulties are likely to arise in regard to the recruitment of staff, and has made a recommendation that the importance of providing adequate training facilities should be brought to the attention of the Colonial Office.

The amendment to the Fisheries Development Scheme is a minor one in order to provide for the subsistence of students.

The other recommendations, Sir, refer to matters which are not included in the amended Plan as submitted by the Committee, but I think that they all speak for themselves, and the net result, Sir, of the deliberations of the Committee and the windfall of the amount which was included in error twice is that the total estimated cost of the Plan at the present moment is £53,327,249. We have omitted the shillings and pence! The Committee feels that in spite of this estimate, although it goes down to the last pound, that Government and this Council should be prepared to spend at least up to £55,000,000 over the ten-year period as it is undoubtedly correct that a number of new proposals and schemes are bound to come up during the ten-year period, and will absorb all of this difference.

Sir, I beg to move.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

I rise to second the resolution which has been proposed by the Honourable the Development Secretary and in doing so, Sir, I have a few observations to make. In the first place, the people of Nigeria are deeply sensible and appreciative of the immense social and economic benefits which will come to them when the schemes contained in this Ten-Year Plan fructify. This House being aware of this sense of gratitude and appreciation took appropriate steps on behalf of the people of Nigeria to communicate to His Majesty's Government by resolutions its gratitude and appreciation of the Plan and of the generous grant of £23,000,000 in order to implement the several schemes contained in the Plan. It is superfluous, therefore, Sir, for me to reiterate that this Plan definitely is designed for the well-being of the people economically and is, therefore, a step in the right direction.

We are led to hope, Sir, that in the execution of these schemes the best man will be selected for the right place without any regard for colour, creed or nationality. It is hoped also, Sir, that the people of the country will be educated to co-operate and work harmoniously with the Planning Authorities in the different areas.

The education of the people, Sir, in this way so that they may not hamper the prosecution of the different projects within this Plan is the great responsibility of the Government. I hope that the Government will take that step properly through its appropriate agents like the Planning Authorities in the different areas. It should be the determined and declared policy of Government in the prosecution of the varied and various schemes contained in this Plan to award adequate compensation to the people whenever they are dishoused or dispossessed of their property.

In the case of houses Government should make provision for alternative sites. Occupancy on such sites should invariably be on the same conditions as the original holdings. The poorer people have been sufficiently provided, for, within the Nigeria Town and Country Planning Ordinance, 1945. I further stress, Sir, that even when people are given alternative sites and compensations with which to reimburse themselves, provision should be made whereby people could be granted loans whenever the amount of compensation or their own personal money was not sufficient to put up a building or buildings according to the prescribed type of erection required by the scheme.

With respect to the Ordinance providing for loans to be raised by the Nigerian Government for the implementation of the Plan, I think, Sir, that I voice the unanimous opinion of the Unofficial Members of this House when I say that this loan should be raised locally. The people of Nigeria will be called upon to invest in this Loan Scheme. The detailed working of the scheme will

devolve upon the expert members and financiers on both sides of this House to work out. If the loan is raised locally there will be distinct advantages. For one thing it will not allow money to go out of the country unnecessarily, and again it will be the test whereby we shall see how far the people of Nigeria are prepared to participate and identify themselves with the schemes contained in the Plan, and it will give opportunity for the vast majority of the people to take part in the general building up a wealthy and healthy of Nigeria to be.

Your Excellency, we were agreeable at the Committee stage that as this plan aims at the economic well-being of the people, that loans be afforded to not only corporate bodies, like co-operative societies, but to individuals who may be prosecuting projects which are definitely advantageous to the Plan. We realize that it will not be easy for the people to throw away old sanctions and old ways, and all of a sudden float co-operative societies all about.

Again, Sir, it is a known fact that the people of Nigeria are very poor, especially the inhabitants of South Eastern Nigeria. We are therefore gratified that the many schemes within this Plan are designed so that people will eventually attain a certain measure of affluence and opulence and so be able to pay more tax in order to provide for the general and requisite amenities of the country. Government must, therefore, not lose sight of doing all in its power to enable trade to return to normal.

The people are very keen and desirous to export their raw produce. We trust that the Department of Commerce and Industries will take the matter in hand at once as such business will stimulate internal trade native production and productivity.

Lastly, Sir, the question of Africanization of the Service as far as this Plan is concerned will be excellent and economical. The question on the lips of every three persons out of four in the street is that Government has no intention of implementing this theory. Why Government should be so distrusted in this way, baffles one. It is up to Government to retain the confidence of the people, especially at this time. Government should set out definitely the type of Africans required, their qualifications, educational and otherwise. It is a fact indisputable that if we do not do all in our power to attract suitable Africans to the staff in connection with this Development Plan our work will be seriously hampered by shortage of staff, particularly in the Departments like Forestry, Veterinary, Agriculture, Public Works Department, Commerce and Industries, Marine and Medical. It is very necessary, Sir, for Government to make statements at once in order to give ample publicity to its policies and so as to allay false and pernicious rumours which are rife. It should be realized that we are passing through a transition period in our development, and in such a

not yet known with any certainty, the section of the river between Baro and Lokoja has not been deep enough to permit river craft to operate between the end of January and the end of June. I shall be grateful if the Honourable the Director of Marine will give this matter his further consideration. This year we shall have a very large tonnage of groundnuts left in the North, groundnuts that are urgently needed in Great Britain for food, and had we been able to continue to evacuate *via* Baro after the end of last month we should probably have been able to evacuate something like another 25,000 tons of groundnuts. The River Niger is one of our most important natural trade routes, Sir, and I think it is time we knew a little more about its habits and its peculiarities.

The development of the Medical and Health Services and all that they mean are very near to our hearts, whatever part of the country we come from. I feel it is my duty, however, once again to press the claims of the Northern Provinces, that vast area which supports more than half the population of Nigeria and which has produced so many fighting men for the Services. Kano Province, with a population of nearly three millions, and Sokoto with a population of over two millions, are the two largest political units in the country, but if we turn to pages 78 and 79 of the Development Plan, we shall see that the total number of hospital beds proposed, and the proportion in terms of beds, per thousand of the population, are very much smaller in the North than they are in the Western and Eastern Provinces. I admit, Sir, that we cannot judge the value of the work being done by the relative number of hospital beds per thousand people, but I feel that this is an example of the grounds on which the North contends that it should receive more attention and assistance than it has received in the past. I am not asking for preferential treatment for the North, but I do ask that we should be given our fair share of the money that is to be spent under the Colonial Development and Welfare Scheme.

There has been very considerable discussion in connection with Leprosy Control and the inclusion of the Northern Provinces in the proposed schemes. I appreciate that the co-operation of the people themselves is of vital importance to the success of any scheme. It may be true that the North as a whole is not yet ready to take part in any carefully organized schemes, but I do press for their further education, and for the establishment of leprosy control in the North at the earliest possible moment. From my own experience I find it difficult to believe that the incidence of leprosy in the North is lower than in other parts of the country.

As far as education development is concerned I understand that our proposals are being considered by the Secretary of State and that further modification may be necessary. I do want to remind the Honourable the Director of Education that in the North there

is not such a wide network of Mission schools as there is in the South and that educational progress in the North lags far behind the rest of the country. This point was discussed at some length in Select Committee and we rely on you, Sir, to bear our needs in mind. We would particularly like to see English taught in all schools eventually for without an elementary knowledge of the English language the Northerner will be seriously handicapped and his progress will be seriously limited despite the expansion of the activities of the Hausa Literature Bureau.

Agricultural Development is an enormous subject and the Agricultural Department has an immense task before it. It cannot hope to make a success of this or any other plan, however, without close co-operation with the Veterinary and Forestry Departments and real co-ordination of effort. We are particularly pleased to see how clearly this is realized by Government as explained on page 20 of the Ten-Year Plan.

One aspect of Development which appears under the Agricultural Plan is irrigation and I am sorry that it has not been possible to give it more prominence. A most informative and encouraging report was recently prepared by an irrigation expert, the Rae Report, and I hope that its recommendations will be investigated and followed up as quickly as possible. A start has already been made in the Niger Province but much remains to be done in that and other Provinces.

The Veterinary Department, rightly, also has a big programme in front of it for the animal wealth of this country is of primary importance. I would like to assure you, Sir, that the commercial firms will give the Director of Veterinary Services every assistance. I hope that the close co-operation that has existed between us in the past will continue.

The increased production of hides and skins and the improvement in their quality is very necessary if we are to maintain and increase this valuable export trade.

For some years I have advocated the necessity for more accurate and detailed information and records of the trade of this country, and I am very glad that a Statistical Department is to be established. I hope that it will be possible to institute crop surveys in the reasonably near future so that we shall know something more about the various types of produce which form the basis of the economic life of the whole country.

In conclusion, Sir, I should like to emphasize that the Development Plan and all the schemes it covers are being watched closely by all sections of the community. £55,000,000 is a lot of money. We can do a lot with it and a lot is expected of us.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

Your Excellency, before dealing with the Ten-Year Development Plan I wish to say on behalf of the unofficial members that we welcome the new changes in this House. We look on this side and see the new Attorney-General with all his books before him; and we hope they will not increase the laws of this country, Sir, but rather improve them. We look on this side of the House and see other members who have been brought in this morning, and we say a hearty welcome to everyone.

In dealing with this Plan I rise to support it and would make a few observations. First of all I would like to say how grateful we all are to the Development Secretary for this gigantic work that he has done in collaboration with his colleagues. It is a big work and a big plan; and we wish to say a big thank you; and I think Nigeria will be very grateful if the plan is carried through as quickly and efficiently as it has been drawn up. We know that fifty-five million pounds will take a lot of planning to be carefully spent, but we are asking that we get along with the plan as early as possible without wasting any time about it. There can be such a thing as being too careful. The country is becoming a bit impatient. This is long overdue and we would welcome now that something be done with the men and material we have available to push on with the work. We want to say thanks to the Colonial Development and Welfare Vote and to those who are responsible for it, thanks to the British Government, and thanks to you Sir. But I would like to say, and I hope I won't be misunderstood, I am voicing the feelings of the people when I say, we hear sometimes too much about the "British taxpayers' money." I should like to know if we are included in this "British taxpayer's money", or only the people in England? Because I do not think that without the colonies the British taxpayers, if they are only the people in the mother country, would be able to do what they are doing. Therefore when we hear of this Vote I seem to feel, Sir, we are all included in it, whether in Africa or in Europe. We are coming to know Sir, that money collected has to be spent some way or other; and this has shown us that a lot of money had to be spent that had been hoarded; and I think it cannot be spent better than in a Development Plan of this size. In other countries—the more wealthy countries like America and other parts where there are millionaires—they are beginning to feel that their hoarded millions are not only theirs to enjoy, but to be spent on the welfare of the others who have helped and sweated for them to earn it. Therefore, when we say thanks Sir, we want to feel that we are saying a genuine thank you, but not so much taking it on bended knees as if we have no right to it. I feel Sir, this money is only coming back to where it came from, or part of it; and although we are grateful, we want these words, "the British

taxpayers money," to cease except they include all of us all over the British Empire. If there were no colonies, I am afraid the British Empire would not be what it is today; and we are proud of this Empire and shall watch its progress very carefully. Therefore, I say we are grateful for this amount to be spent in Nigeria; but I feel we should get a move on and spend the money as carefully as possible with the men and material available and not wait longer for trained men, or else our ten-year plan may become a ten-year talk, which we don't want. It is very easy to sit down and criticise, Sir; but as I have said, there must have been an enormous amount of work behind this plan and I want to extend to the Development Secretary, on behalf of this side of the House, our sincere thanks. We therefore wish the plan every success and we pledge our support in every respect.

When I say get a move on with the work, we do mean that something should be done, if not actually beginning the bigger work, to boost up or to encourage the existing work going on. After all development has been going on for some time irrespective of the little help we got. I have been going through the country a little and I have seen a lot of industries going on which many people don't know or care much about: but which are doing wonderful work for the people: and I hope, as the Development Secretary and other officers go about and see these works, they will know that something is being done and will give that little something as much support as possible. This last week-end Sir, I went out of Lagos and travelled about a bit in the Ijebu country and I was surprised to see just across the lagoon, an industry like the Ikosi Industry, of which practically nothing is heard. There is a building, a school, to cost £3,000 out of the people's own money, an industrial school; and it was of great interest to watch what was going on; and I hope when this is finished it will receive due recognition and as much support as possible. I saw also roads being built which cost the people quite a lot, and receiving from the Native Administration little or practically nothing. Well it shows the people are ready for development; and we are just spilling over to see it. But we have our fears. We Africans are somewhat sceptical: and we have a proverb, the meaning of which is "If we don't see we don't believe". I hope we may begin to put something before our people so that they are able to see and to appreciate; and when they see and appreciate, then they will be able to push the big ball of development along and get on to real progressive lines. There are quite a number of building plans that are being set aside because we have not capable men to carry them out. The Public Works Department is not able to do much at present because of lack of staff and capable assistance. I feel, Sir, that there are many people in this country who have left the Public Works Department, perhaps resigned or retired, and they ought to be able to carry out much of the development scheme in building. But we see men who have

worked their hairs off sometimes. You see them working until they are retired and many of them when they leave, are practically no use to the community; because they are not given a chance when in their department. It is surprising that many men who have worked in the Public Works Department for instance, have retired and are not able to read a plan properly, or to sketch a plan or to supervise any work. I think, Sir, if more help is given to these men while in the service of any department—Public Works Department, Agricultural, or any other department of Government—if they had the chance to know things, I think we would not have today that setback of not finding people to supervise even a common building. I think we are damping African intelligence and their ability, we are not using them enough. There are many men and women who can do things if they are taught; and I think it is time that we gave them special attention. I know what I am saying Sir. Not very long ago we had, not 100 yards from this Hall, a man of outstanding ability. Now that he has left, I think I can talk about him. Here he worked from a young man to an old man. He was kept within the four walls of this Secretariat and rose by dint of hard work to a first-class Resident, a first-class Resident who worked in this Secretariat until he left this country, without seeing a province, or even showing his ability amongst the people of his own descent. I feel, Sir, there could be nothing more inspiring to the youths of this country if they had seen one of their own people become a Resident not only in the Secretariat but in the Provinces; and I think it would help to increase our workers' ability and aspirations and ambitions. But if one is kept down he cannot do much. It is a mistake Sir. As one great man has said, "You can't keep a man down in the gutter unless you stay down there with him yourself"; and if we are going to lift these people as a race, it is time we gave them a big chance that they may be able to get along: and be able to take the place of needful people for greater work in greater spheres. I would like to ask, who are the people succeeding such men as Joseph McEwen who worked in this place? Who are the people succeeding our big men of today who must sometime or other step down, due to old age or hard work or for other reason? I would say, Sir, as the poet said—

" Full many a gem of purest ray serene
The dark unfathomed caves of oceans bear
Full many a flower is born to blush unseen
And waste its sweetness on the desert air."

I think that can be said for many Africans, and I hope this Development Plan will do big things in bringing Africa very much into the picture, so that it will be able to take its place in the Commonwealth of Nations. We are very glad Sir that the Development Plan is thinking of training many such men and women. We have seen signs of it during the past year, of men

any fuss about £10,000 for a Palace for a place like Ibadan. We all know that money can be spent in different ways; but I feel

and women going away to learn more so that they can come back to take important jobs. We are very glad of that, and hope they will come back capable to do such jobs. But, Sir, I would like to sound a note of warning to the people of Nigeria, and that is, that Government is not preparing jobs for men, but men should prepare themselves for jobs. Very often we are inclined to criticise Government that we don't get this or that, but when Government ask for capable people they cannot find them. Therefore our people will do well to understand this, that they should prepare themselves now for situations which they may soon have to fill. In spite of what I have said before, I feel Government is out to help and foster and bring up Africans as early as possible to positions when they are able to fill those positions. I would like Members to take note of this and voice it out to the people, that Government is not preparing jobs for people, but the people should prepare themselves for jobs, so that when the time comes they may be able to fill them manfully or "womanfully".

Sir, I beg to take exception without modification to a circular which was sent out some time ago to Missions, warning or advising them, I think, about starting things that they may not be able to carry out. Well I say, Sir, we take exception to that when we think of what the Missions have been doing with regard to Medical, Educational, Social and other work in this country, that Government thought such a paper was necessary. It seems as if it were meant to intimidate or frighten or put some brakes upon Missions, that they should not launch into things that Government will not be able or will not finance. I feel, Sir, that Missions are doing a great piece of Government work, whether they receive support or not; and I feel that whatever work the Missions are doing, that should be supported; because if Missions were to leave this work, I think Government is not capable—and I would use no other word—not capable of carrying on much of the work that the Missionaries are doing in this country. When you take hospitals for instance, Sir, like Iyieniu, the Mission hospital in Onitsha or Ilesha. Those hospitals are up to the standard, if I am not mistaken, of many Government hospitals in this country. Enquire into it and see what Government is doing for those hospitals. And so too all over the country you will find Missions doing very important work in many branches and not receiving much support. I think, Sir, that this paper was unnecessary; and I register our dissatisfaction in receiving such a paper. It was done, no doubt, with good intentions but it was offensive in part.

To carry out this Development Plan, Sir, I hope that those who helped to draw up the plan so admirably, will be allowed to remain to see the Plan go through. Very often we have plans or schemes put forward and before they take root those who put them forward are either retired or transferred, and I hope it will not be so in this case. When I was a boy, Sir, the son of a farmer, I used

things, and if all the mills in Europe were to be put in Nigeria and Africa, I hardly think we would see the smoke, Sir. This is a large country and I think we can stand it. Where we can develop I respectfully ask that we develop on sound lines and become industrialised in the things we can. I don't think it will ruin the mills of Lancashire very much Sir; it would rather buck them up, and if some people are out of work there, which I don't prophesy, let them come to Nigeria and teach us. It would do well for development here and in Europe.

Coming down, Sir, we were asked not to be very parochial, but I feel that I should like to say something for the Ondo Province and the Kabba Province in which I work. We see that very little is said in the Plan about many of the big places there that are not very much known; though I think the greater will include the less, I should like places like Owo, Ekiti, Kabba; Okene, Okitipupa, Ikare, Oka and Akoko to come more into the picture. We should have big plans for these places, and although we are promised a hospital here or there, I hope we will get a move on and let us have things now instead of in 1947 or 1948.

I don't wish to take up any more time, and I hope that other speakers will say what I have left out. I just want to say that I associate myself very much in supporting this Ten-Year Plan and wish it every success, and hope we shall get a move on and become a prosperous and happy people.

Thank you Sir.

The First Lagos Member (The Hon. Ernest Ikoli) :

Before dealing with one or two items of this Plan, I wish humbly to pay my tribute to Your Excellency for bringing the Ten-Year Plan to a stage where we can reasonably hope that work is going to start soon. I must also pay my tribute, Sir, through you to the Development Secretary for the really hard work which he has put into the Plan and not only the hard work but the measure of persuasion which he must have used with the Colonial Office people and the British Treasury to get us such a big share of the grant which has been given to the various Colonies.

I was in the Gold Coast recently and a former Nigerian official was telling me that the Gold Coast was very very angry that so much money should be poured into the jungle when such a small amount comes to their country. The Gold Coast may think Nigeria jungle, but apparently the Colonial Office does not think so.

There are only one or two items in the Development Plan that I should like to talk about and those are education and agriculture. We all had discussed the Plan very fully in Select Committee and I do not think any long speech from me is necessary in this House but I personally feel strongly that there are two schemes in the Development Plan on which almost everything hangs, that is Agriculture and Education.

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~~... rnor having a Palace on the mainland somewhere, ... be made into a hotel.~~
~~... we come to Lagos we would have a decent hotel to come to.~~

While on this subject of palace, Sir, I saw in the newspapers a little while ago about a £10,000 towards a Palace for the Olubadan. Maybe I am digressing Sir, but I think it is all development. I don't see any reason why there should have been

In regard to Agriculture a very big scheme has been put up. In fact, so big that I asked the Development Secretary whether he believed that the Agricultural Department would be able to carry it through. Much will depend on staff and I was insistent on use being made of Africans in the Agricultural Department. I referred to the number of young men who were sent to Trinidad recently on scholarship. The Director of Agriculture unfortunately was not present at any of these meetings because I was very disturbed to learn that the men were not a success. I asked if it was because a wrong selection had been made or because the average African here is incapable of taking in the instruction given at the college in Trinidad. I am not at all satisfied and I hope that the Director of Agriculture will look into it and see that the right men are selected when the time comes for selection and to see that every opportunity is given to these men when they go abroad to qualify and to help them. We have a very, very big scheme and unless we get our own men to get down to it, I don't see how we can make any progress at all. We may need skilled engineers to look after the roads, telegraphs and electrical schemes but when it comes to agriculture I think that the work in that Department in connection with this Plan must be done by our own people and I am seriously appealing to Your Excellency, Sir, that the Director of Agriculture should take the question of training Africans in his Department more seriously.

With regard to education it is regrettable that this scheme is not quite settled but I do hope that we are going to reach a decision in the near future. I was very pleased indeed to hear at the Select Committee from the Director of Education that nothing was wrong with our system of primary education. I was very pleased to hear that, because the work in the secondary schools, to my mind and from reports that I have received, is so very poor that I was really thinking that the trouble was with the primary schools. The Director of Education explained that it was not the fault of the primary schools but that we had not got the right kind of teachers in the secondary schools—hence the weakness of the material turned out by the secondary schools. I do hope that provision has been made for strengthening the staff of the secondary schools and I do hope that the development of education will be carefully studied and carefully watched by the Director of Education. As I have said, we have already gone very carefully into the Development Plan and no long speech from me is necessary but I feel I must support the Member for Ondo in his remarks that we hope that both the Development Secretary, who has done such magnificent work in connection with this Plan, and Your Excellency, Sir, will be permitted to remain in Nigeria for some time to see that these schemes are put into action, because it is so easy, when changes occur, for other officers to come who may have ideas of their own and who may want to disturb the plan so

well put up as this one. I congratulate Your Excellency and the Development Secretary for the very fine piece of work which has been produced.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimicari):

Your Excellency, this is my first speech in this House since Your Excellency returned and I wish to say welcome to you and Lady Richards.

We shall have to deal with many other subjects next month and therefore, I only want to make a few remarks on the Development Plan. The Ten Year programme is a welcome scheme and it is thrilling to visualize what our country, Nigeria, will be like in a decade under this Plan. It will provide facilities for many needy parts of Nigeria, especially for places off the beaten track: unfortunately I represent such a place.

It is important that the Unofficial Members of the Provincial Development Committees should be people who are aware of the needs of the people and their handicaps; not people who are just invited to be members of the Committee merely because of their social status. It is my belief, Sir, that such people do not give sufficient help, and while some part of Nigeria may be rejoicing because they enjoy the amenities of life others may be crying and clamouring because they seem to have been forgotten and some of these places may be places which played a very important part in the years gone by for the coming in of the Government.

I note with pleasure the priority given to Rural Water Supplies. "Cleanliness is next to Godliness" is an expression with a material and spiritual meaning. With adequate supplies of water all over Nigeria (with some attention I might say to the Creeks) the health of the people is to a certain extent insured.

May I be pardoned if I appear to be importunate and perhaps local in my desire for marine communications for the Creeks. The development of the Rivers Division, which I represent, depends so much on that, that if they are to share in that Development, I hope no time will be wasted in providing adequate communications for them so that they may progress with other parts of Nigeria.

I may here stress the importance of giving priority attention to improving and straightening existing trunk roads. One of the advantages will be the lengthening of the lives of tourists and travellers and of their motor tyres which are so difficult to get in these days.

It is true that it is inevitable, that in a Development Plan such as we have, acquisition of land by Government is inevitable but it should not be forgotten that an African's land is his sacred trust

and in claiming such lands for Development purposes, it is important that adequate compensation, or exchange with other land, if possible, should be seriously considered.

I want to support the remark made by the Honourable Member for Ondo with reference to the circular which was sent recently to Missions about hospitals. This country owes a lot to Missionary activities and when we consider the sacrifices the Missionaries have made in this country we are very much disturbed if any circular is sent from the Government to them which will not help on their work. We want to see the Missions supported and encouraged in their work because as a country we owe so much to those Missionaries who made great sacrifices in coming to our land.

With these few words, Your Excellency, I heartily support the Development Plan and trust that there will be no delay in its prosecution.

The Banking Member (The Hon. K. M. Oliver, M.C.):

I do not want to waste the time of the House reiterating what previous speakers have said and my remarks will be very short. I want to support the resolution as I believe it is a real effort to improve the conditions and life of the people in Nigeria. The Plan is undoubtedly a good one but I think it bristles with difficulties of which not the least is the cost. The contribution from the Colonial Development and Welfare Vote is very generous but I am sure it will be a great burden during the next ten years for Nigeria to find the balance and I hope that everyone will pull their weight.

I think we can reasonably be certain that trade during the next five years will be good and I hope after that period, but so much depends on world conditions and the competition that will eventually be met that it is difficult to foresee what will happen in the later part of the Plan. In spite of appearing to be a wet blanket I do feel that it is doubtful whether what we hope to do during the next twelve months will be done due to the question of technical staff. In spite of assurances, I do feel that it is doubtful whether we shall get what we require to enable us to do what has been set out for next year. I asked the Secretary of State the question and he assured me that everything would be done to give us our fair share and I hope that he will implement that promise.

I would like to suggest that copies of the Plan are widely distributed in Nigeria. I have had many applications myself which I have been unable to supply. No doubt they will be printed in larger numbers now and I hope that if a charge is made it will be a nominal one, in order that people may be able to get copies without spending too much money.

It is an interesting document and I was going to offer my congratulations, which I will do, to the Development Secretary and

his Staff for its production. Unfortunately, I shall not be here to see how the Plan develops, but it has my best wishes and I shall watch results from afar with considerable interest.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo):

Your Excellency, I join with others in thanking the Development Officer and the Government for this lovely plan, I have gone through the scheme and I see that even the space of ten years is not sufficient for the scheme. However I rise to support it and I believe it is very good for our country. I feel there should be a propaganda Department for this important scheme. Many of our people do not know what is going on in the Government, they cannot read and write and they do not know what the Council has passed. I think Nigeria is so large that it wants a distinct office for propaganda in connection with this Development scheme, even many of the people in Lagos and suburbs do not know what is going on in the Government. They do not know what the Development scheme is, I think such a department should be started because these people are going to give their money, they are to be taxed and if they do not know why they are to be taxed, I think it is not fair. I understand that men are to be trained in nearly all Departments under this developments scheme, it is very good indeed that they are to be trained and as is pointed out in the Development book, they will be able to fill posts at present occupied by Europeans, but I would sound a note of warning; How are we going to get men to be trained? It was pointed out a few days ago in connection with the Fisheries Department that men would not come forward for training and I understand that the same thing is happening in the Agricultural Department at Vom, where very good work is being carried on. I think our young men should not be slow in coming forward, we have no ground for complaints when men would not come forward.

Another thing I should like to point out is the question of the Development of the River Ogun, I think something should be done to open the place for vessels that are propelled by motor or steam, this is essential and we shall welcome it very much in Egbaland.

There is only one other matter I would like to mention and that is Education. It has been pointed out that the Missions have done good work; what worries us most now-a-days is teacher-training, much money has been voted for the Education Department and training establishments are promised us, I hope these measures will be taken in hand at once to enable us to go forward. It is well known now-a-days that many people in Nigeria are anxious to have education and many children have to be driven out year by year for lack of accommodation and teachers. It is to be hoped that Government will do something to start the scheme as early as possible, because many people are looking forward to it.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

Your Excellency, I rise to support that part of the previous speakers' speech in which tribute was paid to Your Excellency and the Development Secretary for producing so well thought out a programme of development for this country. I have been only for a short time in this Council, and would like to express how immensely impressed I have been with the broadness of out-look and high efficiency displayed by the Development Secretary in the preparation of the Development scheme which will affect the future of this country for many generations.

Although we have been advised not to be parochial in our out-look about the scheme, I feel yet still that I should speak as a representative of one of the Provincial areas which in the past have had a great deal to complain of, and I think quite justifiably. Much money has been spent in the past, and a great deal of it too for the benefit of certain favoured areas while others equally deserving of consideration have been completely overlooked. Under the present scheme, whether it be water-supplies, roads, electricity, telecommunications and other amenities or social services, every part of the country is brought within the plan and its needs carefully considered and provided for. This is a departure for which the Provincial people all over the country will be grateful.

Before I go further, Sir, I should like to stress that those who will be charged with the responsibility of bringing the schemes into practice should be sufficiently long sighted, because in the past many schemes put up in several places were put up only to serve the needs of the people at that particular time. In saying this, Sir, I would quote for instance the case of Ijebu-Ode water supply. If I remember well, the scheme was put up round about the year 1925 when the size of the town was not quite as much as one-quarter of what she is today, and the result is that about 75 per cent of the population are without supply of water from the scheme today.

Another remark which I am pleased to make is that under the Development schemes, Provincial people will not be left to the tender mercies of the Secretariat in Lagos, because we are going to have our local planning Authorities in which local people themselves will have a voice in the manner in which the planning is to be carried out, and will not have to be left also to the position of being indifferent to what Government does in our districts in the way of development, as we have had so little to do with it in the past. There are in the plan, provisions for the employment of a large number of skilled staff. It is not clear to whom the staff will be responsible, whether to the local Development Authorities or to the Central Government. Although it is provided that large number of these men will be paid from the grant of the Colonial Develop-

ment and Welfare Act, I hope that such arrangement will be made as to prevent friction between the staff and the local Development Authorities.

It is quite natural, and is bound to happen with such a big Development programme in operation, that a good deal of private capital will be attracted to the country. In such an event, we hope that Government will encourage local African business interests to invest their capital in the general development of the country.

In closing up, Sir, I wish to endorse the remark made by one of the previous speakers that Your Excellency who has shown such a progressive spirit will remain in the country and carry through the beneficent and gigantic programme which your Government has initiated.

The Second Lagos Member (The Hon. E. A. Akerele):

Your Excellency, as a member of the Select Committee I have to agree with all the other speakers in thanking you and the Development officer for giving Nigeria such a plan as we have before us to-day. My only regret is that Africans are not in a position to hold key positions under the Plan as yet, but that regret is tempered when one looks at the fact that all schemes in the Plan provide for training of African staff for all establishments.

Now, Sir, I am interested in discussion of the plan to-day because in Lagos there has been a lot of articles in the Press of late as regards the question of the Government going to take land and drive the people out of their homes.

We are ready to give our land for the purpose of developing Nigeria, and if we are well educated as to what is intended to be done I do not think there is anybody who is not willing to give up his land whenever required for this scheme.

I am not going to talk much on this plan because all the other essential points have been covered by the other speakers before me. All I want to say is that wherever practicable under this scheme where Africans can do any work I hope they will be given the first chance to do it instead of giving it to European firms. The Africans who are capable to do work under the plan should be given the first opportunity, and I hope this will be taken into consideration. We don't want to hear that we are given all these millions of pounds and no benefit goes to our own people. I hope Government will take this into consideration and in giving out tenders to contractors, Africans should be given first chance wherever possible.

Sir I support the motion and thank you.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

Your Excellency, I have to seize this opportunity of thanking the British Government for providing this huge amount for the development and benefit of this country.

In taking it naturally that there are masters who employ so many servants and after the latter have been paid for their services the masters simply enjoy the profits derived from the business, and that is all, but very few masters would have the time to think and provide some means for the future happiness of their employees. I do not care for artificial honours and powers but prefer realities than formalities. I have been under the German government for thirty years, I know what they did, and I am under the British Government for another thirty years and know what they are doing.

Personally, I would not have dreamt of launching out millions of pounds for the development of a country just after the cessation of such a most terrible and disastrous war, but the British being specially blessed with wise men and leaders, have been so thoughtful in the granting of such provision for the future development and welfare of Nigeria. I therefore do not only thank the Secretary of State and his ministers but also thank your Excellency and those officials who helped in recommending and supporting the scheme and also our chairman Mr Smith who has worked so strenuously and spent much time with great patience to bring this paper into being.

Last time when I was coming I prepared notes on various matters to talk about, and these were specially in connection with the development of the Cameroons; it was therefore a coincidence on my arrival here that this paper was brought up. It gave me wings to fly back to the Cameroons, where I held so many meetings and consulted my people on the proposed scheme and before leaving I saw the Resident and discussed matters and submitted the resolutions to him.

Of course there was another provincial meeting proposed by the Resident to be held at Buea to which I was invited, but had I attended that meeting, I would have been late to arrive here, and it was therefore arranged that a copy of the minutes stating the resolutions of that will be sent to me. In receiving them they will help me to furnish this house with the various needs for the development of the Cameroons. In some of the meetings held before I left, we talked about a few things which I wish to mention and hope will not keep you too long. Among the items discussed were:—

(a) *Rural Water Supplies*.—Victoria itself is a place with plenty of water. We have a big stream and at the same time we have water pipes which were laid down by the German Government. Beyond

Victoria are villages at the bottom of the mountain many of which have no water. In telling them about the development scheme, they welcomed it with gladness for they thought they had been forgotten, and so they asked me specially to bring their petition before this meeting that water supply be provided for them. Before this in 1943 when I toured the Cameroons Province I found that the water in Bamenda, Mamfe and Kumba was not good enough and I believe I reported that to this house and urged that better water supplies be provided for them.

Although many of our people, especially those whose minds are being based by antagonists, think that nothing is being done for them and that our visits to the Council in Lagos is for the purpose of enjoying grand receptions, etc., and that Lagos is heavenly and that a fellow like myself if prevented from coming to Lagos I may feel as not existing in this world, which is quite wrong and deceitful. I take Lagos to be just as good as any spot on earth and my visit to Lagos is conscientiously for business and nothing else, though they might think that after leaving Victoria I assume an admirable personage; it is not so with me. I am for them and I am here to talk on their behalf, and work for them and not only for them but for the whole of Nigeria.

(b) Apart from water, Roads were mentioned. Our engineer in Victoria knows about the scarcity of roads and communications.

We are now working hard on the Victoria, Kumba, Mamfe Road, but at the same time we require so many feeder roads and hope to get plenty of money from the development fund for them.

(c) Going further, we come to the replanning of the villages. It will cause great difficulties to the surveyors because most of the villages are on hills and deep valleys divide one hill from the other just within the same area. In that case, when the planning takes place, though experts will be employed for the job it will cause a lot of trouble and a lot of money will be spent for the replanning of these villages.

A place like Victoria needs replanning in priority and we hope it should be started as soon as possible; as an extensive swamp is at the back, we want the area to be reclaimed and laid out for buildings. Victoria is quite a small place and visitors ignore the place at sight, on their arrival there. In fact I am jealous of other places, not Lagos—I cannot compare ourselves to Lagos but thinking of other places, I wish Victoria a speedy improvement, by proper layout and that the natives be given chance for building good houses, than that the place be kept and treated as a botanical garden, and so since we are dealing with the development plan I hope it will not be long for a replanning officer to visit Victoria, have the place laid out after the clearing of the palmtrees and bush covering the swamp and arrange the reclamation of the swampy areas to keep away malaria and thereby enable us to enjoy a better town as good as others.

Another most important thing is that on my arrival here I had the chance of seeing the Secretary of State and during an interview he mentioned matters concerning the Cameroons and that the Cameroons was going to be placed under the trusteeship of the United Nations. After the interview so many papers published dealing on this special subject. It caused great unrest in me because I know how much the Cameroons has suffered through these constant changes and now that the world is becoming so ambitious and selfish many schemes are proposed that may be good to one and disastrous to the other. I became perplexed as to how to express myself in this House about the Cameroons. Even then I still hope that we should not rely on our own powers and politics, but that God in Heaven may help the Cameroons to remain and be governed under one Government and that might be the British Government. I shall never rest until I am assured that the Cameroons remains under that rule and if the British people through their diplomacies give it away, though I will not blame them, I shall be very sorry.

Very often so many things had been spoken here and most of the things we want are being mentioned, I therefore think there is at the moment nothing more to be said but I hope that these special and most necessary things for the improvement and future development and betterment of the life of the people so far money has been provided, shall be given us and that we as Africans may all join in co-operation and work in harmony with the Government towards our progress. I hope the Lord will help and bless all who are participating in this great work that they should not be tired or perhaps biased, but will do what they should do.

I must also mention the matter of transport. When I received the information that I should be here, I informed the transport officer to be booked for passage on the 16th January, 1946. My travelling warrant was prepared later for myself and wife and two boys, but on the morning of my departure, I was informed that there would be no accommodation for my boys. On the arrival of the Marine officer at Bota, I approached him and explained the position but he gave no heed to my plea and said that I could only take a boy if I leave my wife, and that the list of passengers was full and I could not be allowed to take a boy with me. The boys were ordered to take away their loads from the launch. I left without a boy since I had no power to help myself. I made no claim of preference but had expected human sympathy for a man of my age and service in granting me the company of my boys to help me especially in a place like Lagos where I should have my food, bed and all necessities.

This is one of my personal experiences and when I thought of other travellers who are suffering in like manner and delayed for long periods before they could travel between Calabar and Victoria, I concluded it to be the result of lack of transport. On

my arrival at Calabar, I wired the Resident and the District Officer at Victoria who had been very kind to intercede on my behalf and got the cook to be sent after me, for which I am very grateful, but I found so much difficulty on my way that I had to take a boy from Oron to help me to get here. He helped me until my cook arrived then I had to pay his passage back to Oron and gave him extra money for his services and food.

Well now, it is plain enough that if we had sufficient and regular transport between Victoria and Calabar or Nigeria, all of this would not have happened. If we can have one good launch for regular service between Victoria and Calabar, under the direct control of the Government it would help to alleviate the present troubles, and up till now there is no "Pathfinder" to help us. I am sorry, I could not do otherwise but to bring this before you as it does not concern myself but the public. I am accustomed to hardship and I am not inclined to worry others for easy life. I am only sorry that it would have been impossible for me to do all myself in Lagos and at the same time attend the Council meeting in time.

As I have told you, the question of the Cameroons is one that interests me so much and at any time I shall be granted an interview with His Excellency, I shall be able to express myself properly and I hope all of you will help to see that the Cameroons enjoy a settled political condition.

Your Excellency, I beg to support the motion.

Council adjourned at 12.30. p.m.

Council resumed at 2.30 p.m.

His Excellency :

Council will now resume on the resolution before the House.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi) :

Your Excellency, I believe I may rely on your clemency in making a few prefatory remarks before I say what I have to say on the resolution before the House. This morning my colleague, the Honourable Member for Ondo Division, forestalled me because I thought I was going to be the first to congratulate the Attorney-General on his promotion. I was very pleased indeed that he has been promoted from that Extraordinary Membership gallery to a permanent post and at the same time I saw in him continuity of policy because he has been with us for so long he knows all about Nigeria and he has been all the time understudying his predecessor. We cannot help wishing him well and feeling assured that through you we have the right man in the right place and at the right time. There is also another official that I should like to congratulate and that concerns myself because strictly speaking he is my chief. I refer to the Commissioner of the Colony. I

have said more than twice that the Commissioner of the Colony should be a permanent member of Legislative Council and I am glad that I am still in this Council to see him appointed. I have no doubt that with him the concerns of the Colony will be well looked after.

I must say that we owe you, Your Excellency, a debt of gratitude for arranging for us Unofficial Members to meet the Secretary of State during his short and flying visit to our shores. I, Sir, remarked then that that was the first time to my knowledge that the Unofficial Members of the Legislative Council of Nigeria had a conference with a Secretary of State and I was very pleased indeed to be among those present. It was a red letter day for me which I shall never forget and as I said then I hope that he will repeat his visit and see more of Nigeria than he could see this time.

Sir, I want to thank you too for what I call a new departure which I have observed. That is in sending press releases to the papers to correct wrong ideas and wrong impressions given to the public by our press. I hope it will continue as it has begun to do a world of good and if you so continue it through the Public Relations office, I am sure that there will not be the anxiety and the commotion that we see among our people whenever there is any subject of political importance as the Land Acquisition Ordinance has been doing of late.

With regard to the Development Scheme—I associate myself with those who have spoken before me in their compliments lavished on the Development Secretary. I know that he deserves it and more. Indeed, we were wondering what time he had to prepare all that he presented to us and not only had he grasped all at his fingers end—both at our Committee meetings and other meetings—but he could tell us anything that we asked about. He seems to have committed everything he puts into writing to memory, in fact, many times I observed he would not even look at the book before he gave a reply to any question we asked him and he seems to know the very page and the paragraph where to find what we were talking about. He therefore deserves everything that has been said in praise of him and I associate myself with what has been expressed. Some people expressed doubt about his continuing. I had no shadow of doubt when I referred to the staff list and I saw that he could put in ten years to see the thing through before he leaves this place. All that I should like to ask Your Excellency is—and I believe you could do it because it was through you that we got him—to see to it that he be an irremovable official, not to leave here until he gets to the time of retirement so that he may see the scheme through.

Well, Sir, it must have been reported to you that when the Secretary of State was here that at the conference with him I told him that if they are going to develop Nigeria, our country, with the money they have borrowed from America or other places,

they should hold that money over until they could conveniently give it and let us go on as we were going on hitherto. He assured me and the other Unofficial Members of the Council who met him at that conference that the £23,000,000 given us was really British solid money or something to that effect. We were glad to hear that and we believe it is so. However, taking away the £23,000,000, this scheme is to be carried out with £55,000,000 and about £32,000,000 will have to be found by Nigerians in Nigeria. How are we going to find it. I was thinking that it looks like plunging us into debts we are not prepared for. However, I felt I should make this suggestion, Sir, that with the Development Scheme we should have the development of trade and I do hope that Government will see to it. In the previous World War, immediately after the War, we had the boom, 1918. The boom was so great, so effective, and it made people so happy that, well, we thought that everybody in Nigeria was really rolling in wealth. I did not know how we came about the boom but I believe that the Government had to do with it and if you are going to raise a loan of £32,000,000 to develop our country, I want Nigeria to pay that loan in due course. I hope that Government will consider how to make Nigeria have a boom again. The boom of 1918 onwards was so great that we heard of people, and I saw some myself, who rolled currency notes, I think five currency notes, struck matches and smoked them off as a cigarette. Well we are not going to do that this time because we know the value of money is greater now. But what I am pleading now is this that with these Development Schemes and to help the Development Secretary we should have development of our trade. I should like to stress the point that we feel the time has come already that everything should be decontrolled, open the country to free trade, let everything come down. Then the people will not mind whatever you ask them to pay for the development of our country.

The nice time that we had with the Secretary of the Development Scheme so impressed me that I felt that I should put before this House two suggestions. That when in future Government wants us to consider an important scheme of anything like the one we have gone through they should follow exactly the principle that you enunciated this last time: Last week we came here with the Secretary of the Development Scheme as our Chairman and went carefully through the volume. He explained everything to us although I should have liked him to have asked us to put our opinions down in writing and then after studying them to explain to us and tell us why this and why that. However, we had a very happy time with him and, as the Honourable Member, the Second Lagos Member, said this morning, everything was clear to us. I thought we were only coming here to say "I support it" and pass the scheme through. However, he expected us to say something and I am suggesting that in the future the same procedure should be followed.

Then again on the other hand we have so many Bills that we are going through now and again every Session of Legislative Council and we do not know how many are coming yet for the Budget Session. Well, I am afraid of the present Attorney-General because whatever Bill we studied and we tried to criticize here, he has got his smashing weapon to smash everything and knock it off our brains. So I am suggesting, Sir, with your permission, that before the next Budget Session a week at least should be given us to sit with the Attorney-General as our Chairman and carefully go through all the Bills. It would save our time. Let him explain every detail to us and then after that we will come here—first reading, second reading, ayes—that will be all right. That is my humble suggestion.

Your Excellency, I heartily support the resolution of the Development Secretary.

The Member for the Ibo Division (The Hon. E. N. Egbuna):

*Your Excellency, there is very little that I can add to what has already been said by previous speakers in connection with the Development Plan as a whole. But throughout we have heard from the press one aspect of the whole Development Plan stressed and that dealt with the acquisition of portions of land for Development purposes. The Government has issued an explanation in order to allay whatever suspicion there might be in the minds of those who are reputed to be ever suspicious but I think it would be more adequate when the project comes to be worked out to adopt a course which would make the people realize that the Government intends to go on with the principles it has laid down. I notice that in the Bill for an Ordinance to make provision for the planning and recruitment for the development of different parts of Nigeria, Your Excellency will be granted very wide and liberal powers not only to appoint a planning authority but to nominate certain persons to it. Now, Sir, it is by nominating local people and by local I was thinking of indigenous people, Africans—Africans to that Town Planning Authority—that the majority of people will feel that their interests would be safeguarded. One no doubt realizes that it would be essential to have as many experts as possible on such Boards, but it would be necessary, in my view, not only to have expert opinion, but in order to have the moral support of the people to have as many of the local element as possible on the Authorities. It would go a long way towards making people realize that all the cry had not been in vain, and that the Government has no ulterior motive, if Governments could ever have ulterior motives.

In regard to the scheme for education we have been told quite rightly that certain recommendations which have been expected from the Secretary of State have not come, and therefore it is not possible to say much about it. But there is one aspect I would like to mention, and that is in respect of the recommendation of

the Select Committee about grants to Native Administrations. On the report of the Select Committee the section dealing with the Education Plan the Committee says:

“ It also recommends that financial assistance should be provided to Native Administrations for the extension of primary and secondary education where there are inadequate educational facilities, and that this statement should be printed at the end of the General Education Plan at page 88 of the amended Plan.”

Now, the position is, Sir, I hope, that that recommendation will be interpreted as broadly, as liberally, as possible when the educational authorities come to deal with it. What I am trying to stress is this. Everybody realizes in the Northern Provinces there are possibly fewer schools than there are in the Southern, but I believe the need, and when I say the need for these I mean primary and secondary schools, is greater in the South than in the North. I feel that there is needed a great deal of improvement not only in the number of schools, but also in the type of education people receive. Now, the Missions have done a lot, everybody agrees, in the field, and most of the primary schools in the Southern Provinces are controlled by the Missions, and very effectively too. But now that the Native Administrations are expected to play a very important part in the administration of this country, I think every opportunity should be given to them for the purpose of being able to train the type of person they would have to have under them. It wouldn't matter if the grants were made to the Native Administration, even where there are adequate educational facilities they will not run their schools in competition with the Missionaries but in consultation with them together. We need more schools in this country, and I think the Native Administrations should be allowed and given the opportunity to do it if Government will make the necessary provision. Then we would have more secondary schools from which to feed the new University College when that does come through. In places like Onitsha Province we have a few primary schools, but I think we can do with a few more.

One other aspect, Your Excellency, which I would like to stress is the question of Road construction. Under this scheme, which this House obviously endorses, provision is made for making more trunk roads and the ordinary feeder roads, but anybody with thorough knowledge of the country as a whole will know that although on the map you have roads which are mapped out as trunk roads 'A', they are in actual fact only provisional. You find in most cases that most of the existing trunk roads are not all-the-year-round roads. For the greater part of the rainy season those of them which are usable cannot in fact be used without serious danger to traffic and to the persons who go on them. I want to mention especially the Sapele-Warri road, the Warri-Aba,

the Onitsha-Enugu Road and to some extent between Onitsha and Owerri. If a lot of money must be expended, and there is no doubt that it must, I submit that every effort should be made to improve the surfacing of these roads and also strengthen the roads in order to enable them to take greater traffic in the future. I mentioned this matter in committee and there the Honourable the Director of Public Works suggested that efforts should be made of course to make all these roads ten-ton roads. It will enable us in the Eastern Provinces for instance to ply heavier traffic on these main roads. Everybody, I believe, is disgusted with that type of traffic which compels people to travel themselves in little lorries, packed like sardines. I think the time has come when we should be able to have the benefit of modern lorries and have more luxurious buses on all roads in Nigeria, not only in Lagos and Yaba, but also in places like Onitsha, Enugu, and Port Harcourt, and unless we are assured of very good roads that will be impossible. Nobody would be willing to spend his money on a project which would not be beneficial.

With regard to trade, Your Excellency, I am at a loss. It does appear that this development which will deal with that aspect will have some difficulty. We, and when I say we I mean the indigenous African, think of trade not only in terms of export, how much we are able to help the Mother country by what we buy but also in terms of import, that is in terms of export and import. We cannot in my view develop trade in the full sense unless everything will be done to improve our export trade in exporting from Nigeria to the rest of the world. During the war there is no doubt that most of our commodities were taken up because they were wanted. After the war, now that the war is over at any rate it is quite likely that Nigeria will have to go into competition unless we teach those who indulge in commerce locally to realize that there is just as much money to be made out of export trade as import trade. I think the future will improve. It would be expected—the point has been raised and supported wholeheartedly, that lots of money which will be used for financing the development plan should be found locally. That indeed is, Sir, a very laudable object, but unless the people have money locally they cannot invest it. And they cannot have money by simply going in to the import trade buying goods at unreasonable prices in most cases and selling them at uneconomic prices. What we do want, Sir, in regard to that aspect, is that opportunity shall be given to African merchants to export their wares as much as possible, and efforts should be made to give them assistance to improve whatever they have to sell if it is suggested that they do not meet with world standards.

While we are on that, Sir, I am of the opinion—I may be wrong—that the time has come, or is fast approaching, when unnecessary trade restrictions should be removed.

Finally, Sir, there was one aspect which I believe interested all Unofficial Members, and that was what was termed by Government the gradual Africanization of the Service vis-a-vis the Development Plan. As far as I am concerned that is mainly theory. The Plan has only ten years to go. Training takes some time and unless the Government is prepared to carry out the scheme, the plan for training Africans, with the utmost despatch, we shall find ourselves saying at the end of the ten years " We shall help to train Africans to take up responsible posts ". There is no doubt, Sir, and I hope that the whole of this House approves this Plan as a whole and passes the Bill, that it will be the serious duty of the various Departments concerned to see to it that responsible and efficient Africans are given opportunities to go and train as early as possible, because it is only by training us and giving us responsible positions in the Government that we can be made to feel that we are part and parcel of this Government. That would have the effect of increasing our faith in Government.

Your Excellency, I have nothing more to add, and I support this resolution.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

Your Excellency, I rise to support the Resolution moved by the Development Secretary and I would like to make one or two observations. First, question of the Town and Country Planning Bill. We down in the East have a different system of land tenure, unlike Lagos. In the Eastern Provinces we have the communal land system. You can only acquire lands from families and when a man is dispossessed of his buildings and has a very handsome compensation, he has to think next where to acquire land on which to erect another building failing which he finds himself a wanderer all over the country. I agree with the remarks made by the previous speakers that an alternate land should be given to a dispossessed person under the same terms and conditions under which he acquires land which is taken away from him.

Then next, Sir, I turn to the suggestion made by the Honourable Commercial Member for Kano about a sanitation system for Nigeria. We all look for progress. We want to see a better Nigeria, a healthier Nigeria, and I think it would not be very much out of place Sir at this stage of our Development Scheme to make some experiments, maybe first in Lagos and then afterwards in the Provinces. I am sure the Development Secretary, although he was not very inclined to agree with the suggestion at Select Committee, may probably in the long run change his mind and find the necessary funds to start this sewage system.

Another branch of the Development Plan in which I am particularly interested is that which covers commerce and industries for Nigeria. I think some sort of protection should be

given to us. We have had a lot of privations in the past, particularly after the last war when we lost markets due to the fact we could not stand foreign competition.

Several big schemes have been put up by the Development Secretary. We have been warned not to be parochial. If I had any such intentions I would have asked that an experiment be made in the provinces before extending it to Lagos, but it is the other way round. Take the Raffia industry in the Ikot Ekpene district. You would be surprised what rapid strides the Ibibio people have made. Passing through recently I saw some lovely carpets that would stand up to any imported carpet. If the Director of Commerce and Industries were able to find markets to get rid of these it would be of great benefit to Nigeria.

The Honourable Member for Onitsha mentioned roads. The roads are very unsatisfactory in Onitsha, and as I mentioned in Select Committee particularly the roads between Aba and Oron and Aba and Opobo are absolutely useless during the wet season. I think these roads particularly should be made up and may be it would be possible for the Development Officer to go up there during the wet season and see exactly what difficulties are experienced. Another point I would like to stress and it is in connection with the Public Works Department. I have heard quite a lot said about shortage of staff. As it is the intention of Development Scheme to more or less get the Nigerian service Africanised. I think it is up to the various departments, particularly those departments that engage technical staff, to give more help, more encouragement to young members of their departments who are keen and anxious to undertake technical work. I must say, Sir, that it is very hard indeed to get a young man these days to go out in bush under all conditions whereas his brother sits on the office desk with a very fresh tie and gorgeous trousers or shorts, and the other enjoys no extra remuneration for his services. That is very disappointing and that is why I have always stressed that some particular assistance should be given to these men or else you will find in the long run that very few Africans will go into these services Students are now required for the Fisheries Department, but I doubt very much if you would get a young lad of say Class VI going down the swamps to look after fish. He would very much prefer a soft job on the office desk.

Mention has been made about assistance to Native Administration Schemes. In my division not long ago I was informed that there was a particular School started by the people with their own funds, but they went only half way and could not carry on and after asking for assistance from the Education Department they were taken off and told that the building was not sanitary and it had to be pulled down and the children had to go to a neighbouring school. I don't think when the clamour for education is such,

that every African feels he should be educated, for a school already started by the people to be closed down and the Education Department to give no help as there is no provision for any Native Administration school, I am sure this should be revised and the Honourable Director of Education asked to do his utmost to see that things are better.

One other point I would like to stress is about social welfare work. I notice that a senior official has been appointed and before very long will be starting very actively. I mentioned once before that Calabar was a black spot, but I have been told there are other parts worse than Calabar. The question of getting the necessary staff cannot be any cause of bother because I think you have quite a lot of young men very keen on social welfare work. The spirit is willing but the flesh appears very weak, and if these men are sent abroad to other countries where they can see how things are done and bring back home all they have learnt we should have a better class of youth to help the country.

Tribute has been paid to the Development Secretary for the very comprehensive Development Scheme. It must have cost him time and trouble, but at the same time I personally feel that he cannot take all the credit to himself. Members who spoke before me appear to have ignored all the Heads of Departments who co-operated with and assisted the Development Secretary. We hope the Development Secretary has ten more years to do to see the Plan through, and also I wish to say Sir that we hope this plan will go through as early as possible without any unnecessary delay, particularly in connection with Water Supplies, Electricity and Medical and Educational facilities.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Your Excellency, Honourable Members on the other side raised quite a number of points, which perhaps are not directly related to the Development Plan, consequently I will restrict my replies to those points which directly affect the Plan and I think Members can be assured that the other points have been noted by the Heads of Departments for such action as may be possible.

The Honourable Member for Calabar raised the question of local money being used and borrowed for development purposes. That is a subject which was also mentioned in Select Committee and I can assure the Honourable Member and other Members who have raised the same point that a Bill will be placed before the next session of this Council with a view to raising money from local sources for investment in development loans by more than one method. This it is hoped will ensure that the people of Nigeria will take full advantage of the opportunity of investing in the development of the country.

A question was raised in connection with another Bill (which it is hoped will be passed this afternoon) concerning the Nigeria Local Development Board and making loans to individuals or individual companies. This Bill, as it stands, does not actually provide for direct loans being made to individuals by the Nigeria Local Development Board but it does provide means by which loans can be made to Native Authorities who in turn can make loans for the purposes of assisting individuals in the development of farming and local industries.

The subject of sewage disposal—which has come into prominence in connection with these discussions—I still feel is one which cannot be brought in as a special scheme under this Plan but, as stated in Select Committee and as mentioned in the report, there is nothing to prevent such schemes being proceeded with under the aegis of Planning Authorities for any place whether Lagos or somewhere else, preferably somewhere else first, by means of loans provided through the Nigeria Local Development Board when it is established. I think it is desirable to state that such schemes should of necessity be based on a self-supporting basis and not require subsidising.

The question of the water level of the Niger is one which is under investigation, although it may take some time before there is any information to communicate and the Director of Marine is also considering such action as can be taken there but there is a serious risk that all that will happen after dredging takes place is that holes will be made with no way out during the dry season.

The question of irrigation projects is being dealt with by the Director of Agriculture and will be extended as soon as requisite staff is available for further increase of such activities.

Two Honourable Members referred to a circular which has been recently issued on the subject of Missions in relation to the Development Plan. The circular in question was a straightforward statement of Government policy and there is no question whatsoever of Government not appreciating the work which is being done by Missions and Voluntary Societies. In fact a part of the proposals of the Education Scheme contain a proposal that the Missions should participate with Government assistance but Government has stated in that circular what its experience has been in connection with some Mission hospitals and has, therefore, issued a word of warning which was apposite and I think has had the desired effect and been understood by those Missions to which it was largely directed.

Two Members raised the question of various local developments—in Ondo and the Creeks. I think neither of the areas is likely to suffer from lack of vocal representation of their needs. In any case, there will be ample opportunity for all these local schemes to be dealt with through the Area Committees and the Nigeria Local Development Board, which I hope will soon be established as a

result of the Bill which I hope will pass its third reading this afternoon. With regard to the Creeks, they have not been forgotten as will be seen from the report and the special provision with regard to their medical requirements.

One or two Honourable Members have been worried about the cost of carrying out of the work of the Plan and in the first instance I would like to correct the Member for the Colony and to inform him that the £23,000,000 from the Colonial Development and Welfare Vote is not a loan; it is a free grant. We do not have to repay it and of the remainder of £32,000,000 required we shall probably raise at least half or more than that out of loans which we shall have to repay over a fairly long period while some of it will be applied to schemes which will be self-supporting, like Electricity. Personally I am not frightened by the finances of the Development Plan or that Nigeria will be incapable of finding the money to see it through. It is true that Nigeria will have to pay for an appreciable portion itself but I am convinced that, subject to the development being carried through properly, the country will become more wealthy and be able to face the cost.

Another Honourable Member has mentioned that this is a mere ten year plan and the declared policy on the Africanisation of the Services cannot be effected within ten years and that at the end of that time we shall be back where we started. Ten years is not enough time to complete the proper development of Nigeria, this Plan is only the start which I hope will involve the much wider expansion of the country in the succeeding decades after we have started the ball rolling. I can assure the Honourable Member for the Ibo Division that it is Government's intention to take in as many Africans as possible under these schemes but the mere fact that it is Government's intention will not make it effective unless the Africans come forward and are prepared to have themselves properly trained and take advantage of the opportunities offered. The training facilities will be provided, it is then up to the Africans to come forward and take advantage of those training facilities.

The question of responsibility for staff for development is obviously Central Government's but Development Officers and others will play a big part in local planning schemes and local development schemes. That is what they are there for and they will work in close collaboration with Native Authorities and District Officers and Planning Authorities. In many cases these officers will be appointed for one job and will work with Planning Authorities on planning work.

The question of employment of local African capital I am sure will be adequately dealt with by the Director of Commerce and Industries when he starts up his schemes for industrial and other developments but again I have to issue a word of warning that industrial development may not be as rapid as might be hoped for.

There is no desire or intention on the part of Government to attempt to suppress industrial developments but it desires to see that any such schemes show practical prospects of success before encouraging them. There is rather a tendency for industrial development to be thought to be the way to end all evils. As a matter of fact, it is often more attractive as a theory than as a practical proposition. However, Government is already considering certain proposals in connection with industrial development and Honourable Members can be assured that there is no desire on Government's part to suppress such activities. When the new Director of Commerce and Industries arrives we shall be able to go further into it. But, in the main, we do feel many of these industries should be developed more on a village and peasant basis than on a factory basis. That is what we want to see done in order that the people in the villages may have the best results from the Development Plan. In any case big factories are likely to affect only a small number of the population.

One or two Members mentioned the question of controls of trade, but I must ask them to have patience because it is not merely Nigeria which controls trade by licences of imports and exports but it is by international arrangement and the crisis is not yet over.

The question of roads I am afraid cannot be dealt with in detail. I can imagine that several Honourable Members on the other side would like to ask for specific roads to be dealt with but I again must ask for patience. No doubt you will all press your desires regarding roads in your particular areas but you will see from the 1946-47 Estimates placed before you this morning the work which it is expected to be done on roads during the forthcoming year. In fact the programme is quite an appreciable one but it may be possible to extend it in the event of staff coming forward in adequate numbers.

The development of internal trade is a point which we have already started to study and will be one of the important features of the Department of Commerce and Industries. I would like to tell the Honourable Member who mentioned the question of the Ikot Ekpene raffia industry that the encouragement of that industry has been very much assisted by the Adviser on Rural Development as an export matter. The very mats which he has seen are those developed under Mr Oliphant's and Mr Southern's suggestions with a view to exporting them. In that connection import licences were obtained from the Board of Trade, largely for that type of mat, when the Adviser on Rural Development went to London some few months ago.

I think, Sir, that covers most of the main points which were raised by the Honourable Members but no doubt they will have further points to raise year by year as the estimates for Development are put before this Council.

Before closing this debate I would like to express extreme gratitude for the very flattering remarks made by several Members on the other side of the House and I would like particularly to say how much I appreciate what was said by the Honourable Member for the Ibibio Division who hit the nail on the head when he said the Development Secretary was not the only one to be thanked. It starts with you, Sir,—your influence and inspiration in this work, the assistance and encouragement which has been given by the Chief Secretary, Financial Secretary and Chief Commissioners and Administrative Officers and, above all, the Heads of Departments and their staffs who have willingly, or unwillingly, been jockeyed into the position of having to put up development proposals and answer the numerous questions which they have received from the Development Branch. Finally may I also pay tribute to officers, past and present, African and European, of the Development Section of the Secretariat who have worked extremely hard on this Plan, whose work is unseen except that it is there in the Plan. They deserve just as much tribute as everyone else and so does the Government Printer and his staff who had to print it at such short notice.

Resolution adopted.

BILLS

(Committee Stage and Third Readings)

THE NIGERIA LOCAL DEVELOPMENT BOARD ORDINANCE, 1945

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I have to report that this Bill has been considered in Select Committee, and to state that in accordance with Standing Rule and Order 51 (1) a copy of the amendments recommended has been distributed to each Honourable Member.

His Excellency:

The Report of the Committee may be laid on the table.

Report laid on table.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that the Bill be recommitted to a committee of the whole Council.

Council in Committee.

Enactment.

Clause 1.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that clause 1 be amended by substituting the expression "1945" for "1946" in the second line thereof.

Amendment approved.

Clauses 2-12.

Clause 13.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that clause 13 be amended by deleting the full stop at the end of paragraph (b) thereof and substituting a semi-colon therefor and by adding thereafter the following new paragraph:—

“(c) make purchases of plant, equipment and any other stores and materials and acquire land and erect buildings and carry out any other works and undertakings as part of or in contemplation of loans and grants to be made under the provisions of sub-section (1) of section 12”.

Amendment approved.

Clause 14.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that this clause be amended:

(a) by inserting in the proviso thereto immediately after the words “Provided that” the following:—

“the amounts of any payments made under the provisions of paragraph (c) of section 13 and” and

(b) by deleting the full stop at the end of the proviso thereto and adding to the proviso the following expression:—

“and until any monies paid and expended under the provisions of paragraph (c) of section 13 or any portion thereof forms part of a grant or loan made under the provisions of section 12”.

Amendment approved.

Clauses 15-33.

Title.

Council resumed.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to report the Bill from committee with three amendments. I beg to move that the Bill as amended be read a third time and passed.

The Hon. the Attorney-General:

Sir, I beg to second.

Bill read a third time and passed.

THE NIGERIA TOWN AND COUNTRY PLANNING ORDINANCE, 1945

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I have to report that this Bill has been considered in Select Committee, and to state that in accordance with Standing Rule and Order 51 (1) a copy of the amendments recommended has been distributed to each Honourable Member.

His Excellency:

The report of the Committee may be laid on the table.

Report laid on table.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that the Bill be recommitted to a committee of the whole Council,

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I beg to move that clause 75 be amended by deleting the word "Authorities" in the first line and substituting therefor the word "Authority's".

Amendment approved.

Clauses 76-85.

First Schedule.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I beg to move that section 6 Part VI of the First Schedule be amended by deleting the full stop after the word "approved" and inserting after the word "approved" the words "together with an estate layout plan if called for by the Authority".

Amendment approved.

Second Schedule.

Title.

Council resumed.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I beg to report the Bill from committee with thirteen amendments. I beg to move that the Bill be now read a third time and passed.

The Hon. the Attorney-General:

I beg to second.

Bill read a third time and passed.

THE DEVELOPMENT LOAN ORDINANCE, 1945

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I have to report that this Bill has been considered in Select Committee, and to state that in accordance with Standing Rule and Order 51 (1) a copy of the amendments recommended has been distributed to each Honourable Member.

His Excellency:

The Report of the Committee may be laid on the table.

Report laid on table.

The Hon. the Financial Secretary:

Your Excellency, I beg to move that this Bill be recommitted to a committee of the whole Council, and with your permission, Sir, the Development Secretary will move the amendments.

Council in Committee.

Enactment.

Clauses 1-3.

Clause 4.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I beg to move that clause 4 be deleted and the following substituted therefor;—

“ 4 (1) The Governor may, by order, with the approval of the Legislative Council signified by resolution, and of the Secretary of State, add any new item within the purposes of this Ordinance in the Schedule hereto.

(2) The Governor may, with the sanction of the Secretary of State, utilize any savings, in respect of any item, other than item 9, in the Schedule hereto to cover any excess of expenditure in respect of any other item and may allocate all or any part of the amount shown under item 9 in the Schedule hereto to any other item therein ”.

Amendment approved.

Schedule.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that the Schedule be deleted and the following substituted therefor:—

“ SCHEDULE

Item.	£
1. Urban Water Supplies	955,000
2. Development Building Programme	1,284,000
3. Electrical Development	734,000
4. Telecommunications Development	160,000
5. Marine Development	1,929,000
6. Schools and Educational Institutions	1,140,000
7. Grants to Nigeria Local Development Board	1,250,000
8. Road Development	100,000
9. Unallocated	448,000
	£8,000,000 ”

Amendment approved.

Preamble.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to move that the Preamble be amended by deleting the words “ Nigeria Ten-Year Plan of Development ” appearing in the last line thereof and substituting therefor the words “ Ten-Year Plan of Development and Welfare for Nigeria ”.

Amendment approved.

Title.

Council resumed.

The Hon. the Financial Secretary:

Sir, I beg to report the Bill from committee with two amendments. I beg to move that the Bill as amended be read a third time and passed.

The Hon. the Attorney-General:

Sir, I beg to second.

Bill read a third time and passed.

BILLS

(First Reading)

The Hon. the Attorney-General :

Sir, I rise to move that a Bill for—

“ An Ordinance to Control and Regulate the Increase of Rents and Recovery of Premises in certain areas ”

be read for the first time.

Sir, as Honourable Members will know, since 1942 in Nigeria the increase of rent and the recovery of premises in respect of certain controlled classes of premises have been regulated by Defence Regulations. These Defence Regulations—No. 59 of 1942—established such control by way of a Board and I think it will be agreed that retention of the control of rent and of the recovery of premises will be necessary for at least some little time to come. The present system under the Defence Regulations will not be effective in the coming years. In the first place, Sir, it is composed of a Board of voluntary members and while, Sir, I think we owe a debt of gratitude to those persons who have so freely and generously given their time to this Board, a voluntary Board is not an adequate tribunal to regularise the relationship between landlord and tenant in times of peace. There is a second difficulty in the present system, Sir, and that is that there is no appeal and has been no appeal from the decisions of that Board. A third defect—if defect it be—is that the Board necessarily has no rule of law or rule of precedent to guide it. The present Bill, Sir, before this House proposes to introduce the system of control of premises and their rents by the Judicial Courts in Nigeria. This will mean, Sir, that the normal avenue of appeal will be open to either the landlord or the tenant who feels himself aggrieved by an order. It will mean, too, Sir, that the Courts will have definite assistance in the principles on which this law is to be administered. Those principles are laid down in sections 13, 16 and 18 of the Ordinance. I do not know if Honourable Members would like to read it now. If Members turn to section 13 they will see that the Court may not grant a writ of ejection except where the Court has powers to do it under the provisions of the Second Schedule or where alternative accommodation is available and if Honourable Members will turn to the Second Schedule they will see set out in great detail the conditions in which orders of ejection may be made against the tenant. Secondly, Sir, this new Bill proposes certain other changes, changes in contemplation of the time when it will be unnecessary further to control rents and that is done, Sir, by clause 18 of the Bill which enables the Governor in Council to give permitted increases and by clause 16 which enables classes of tenements and premises from time to time to be de-controlled. I do not propose at this stage to dwell on the system of how this will work. Members are familiar with and know the present procedure.

The main difference is that in the future—if this Bill is passed—the Courts will administer those powers of de-control and those powers permitting increases. Clause 21 of the Bill saves the existing powers established under the existing Defence Regulations until those applications pending before it are completed.

Presuming, Sir, that Members are familiar with the present system of work of the Board, I have nothing more to say except to move that the Bill be read a first time.

The Hon. E. A. Carr (Commissioner of the Colony):

I beg to second.

Bill read a first time.

The Hon. the Attorney-General:

It has been mentioned to me, Sir, that Unofficial Members of this House would like the opportunity of this Bill being sent to Select Committee to examine in greater detail its terms. It is for that reason that I was necessarily brief in moving the first reading. As the mover of this Bill I have no objection. But no Bill may be committed to a Select Committee until after the second reading, which is prohibited on the same day as the first reading is made. The request of the Unofficial Members may only be met if you, Sir, give me permission to move the suspension of Standing Orders to enable this Bill to be read a second time now and later committed to Select Committee.

His Excellency:

Is the House prepared to agree to the suspension of Standing Orders to enable the second reading to be taken now on the understanding that as soon as the second reading is over the Bill will be committed to a Select Committee. Is this agreeable, gentlemen?

Agreed.

The Hon. the Attorney-General:

With your permission, Sir, I beg to move that Standing Orders be suspended and that this Bill be read a second time to-day.

His Excellency:

The question is that the Standing Order be suspended in order to enable this Bill to be read a second time to-day. Will those in favour say Aye.

Motion adopted.

The Hon. the Attorney-General:

I rise to move the second reading of a Bill for an Ordinance to Control and Regulate the Increase of Rents and Recovery of Premises in certain areas.

The Hon. E. A. Carr (Commissioner of the Colony):

I beg to second.

Bill read a second time.

The Hon. the Attorney-General :

I beg to move that the Bill which has just been read a second time be referred to a Select Committee which will report tomorrow morning.

Bill referred to Select Committee.

His Excellency :

In that case, Gentlemen, I will at your request refer this Bill to a Select Committee consisting of the Attorney-General as Chairman, the Commissioner of the Colony, the Member for Calabar, the Member for the Ibo Division, and the First Lagos Member.

I propose also, Gentlemen, if that is agreeable to you, that this Council should now adjourn and should resume at 11.30 tomorrow morning, in order to enable that Committee to sit, if they are able to, this evening, and to complete tomorrow morning, or if not perhaps they will be able to sit tomorrow morning and be able to submit their report to this Council when they meet. In that case Council will now adjourn until 11.30 tomorrow morning.

Council adjourned at 4.5 p.m.

Debates in the Legislative Council of Nigeria

Friday, 8th February, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 11.30 a.m. on Friday, the 8th of February, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G. O.B.E.
- The Acting Director of Education,
The Honourable T. H. Baldwin.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E., R.D.,
R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable W. J. E. Rodwell.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Honourable F. E. V. Smith, C.M.G.
Development Secretary.

The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.

The First Lagos Member,
The Honourable Ernest Ikoli.

3rd. The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.

The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.

The Member for the Cameroons Division,
The Honourable J. Manga Williams.

The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.

The Banking Member,
The Honourable K. M. Oliver, M.C.

The Member for the Warri Division,
The Honourable J. Ogboru.

The Second Lagos Member,
The Honourable E. A. Akerele.

The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimicari.

The Member for the Ibo Division,
The Honourable E. N. Egbuna.

The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.

7th. The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.

The Member for the Ijebu Division,
The Honourable T. A. Odutola.

The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.

The Commercial Member for Lagos,
The Honourable F. G. Frost.

OFFICIAL EXTRAORDINARY MEMBERS

The Honourable G. F. T. Colby,
Administrative Secretary.

The Honourable E. A. Miller,
Commissioner of Labour.

The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.

The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.

The Honourable C. W. Reece,
Acting Solicitor-General.

The Honourable H. W. Drake, C.B.E.,
Auditor.

ABSENT

OFFICIAL MEMBERS

- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.
- The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Resident, Ilorin Province,
Captain the Honourable J. P. Smith,
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning.

UNOFFICIAL MEMBERS

- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The Commercial Member for Kano,
The Honourable W. T. G. Gates.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Commercial Member for Port Harcourt (Provisional),
The Honourable C. Paris-Jones.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 7th of February, 1946, having been printed and circulated to the Honourable Members were taken as read and confirmed.

PAPERS LAID

The Hon. the Chief Secretary to the Government :

Sir, I beg to lay the following paper on the table:—

Sessional Paper No. 4 of 1946—Annual Report on the Progress of Co-operation in Nigeria, 1944-45.

QUESTIONS

NOTE.—Replies to Questions Nos. 2 and 3 by the Honourable the Member for the Rivers Division, No. 12 by the Honourable the Member for the Ijebu Division, No. 19 by the Honourable the Member for the Ibibio Division, No. 25 by the Honourable the Member for the Colony Division, Nos. 29 and 31 by the Honourable the Member for the Rivers Division, Nos. 37-45 and 49-50 by the Honourable the Member for the Ondo Division, Nos. 53-58 and 60-67 by the Honourable the Second Lagos Member, Nos. 68-71 by the Honourable the Member for the Calabar Division are not yet ready.

16. *Disallowed.*

17. *Disallowed.*

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

22. Is Government aware that demobilised Soldiers still retain essential uniforms and go about in them as civilians waylaying, terrorising, molesting and causing menace in town and villages in several parts of the Colony Division by night as well as by day? Will Government take steps to get the demobilised soldiers to return to Civil life in dress and behaviour all over the country?

Answer—

The Hon. the Chief Secretary to the Government :

Demobilised soldiers are permitted to retain their Army uniforms, but all regimental buttons and badges, and badges of rank are withdrawn from the men before discharge. It is agreed that the retention of uniforms by ex-soldiers is undesirable but existing arrangements cannot be altered since the War Office is committed to accord similar treatment to all discharged soldiers.

Although no cases have been reported to the Police, there has been some interference with the civil population at Ikeja by persons in military uniforms and the necessary safeguards to avoid it are being taken. Government is taking every step towards the early absorption of discharged soldiers into their native communities.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

23. To ask the Honourable the Chief Secretary to the Government how many soldiers have been demobilised in Nigeria since the cessation of hostilities; how many have been repatriated; for how many has employment been found as civil servants; and how many are on the waiting list of Labour Department?

Answer—

The Hon. the Chief Secretary to the Government :

General demobilization for troops serving in Nigeria has not yet commenced, but 4,736 men have been discharged on medical

and other grounds and 12,906 have been repatriated from overseas since the cessation of hostilities. A total of 4,471 ex-servicemen has been placed in employment. Separate records are not kept of ex-servicemen employed as civil servants. 15,813 ex-servicemen are registered as requiring employment.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimicari):

28. To ask the Honourable the Director of Medical Services:—

(a) If he is aware that there is growing dissatisfaction among Assistant Medical Officers arising from their conditions of Service?

(b) What provision has Government made for the award of Scholarships for study in British Universities to deserving Assistant Medical Officers? If there is no such provision, why is it so? If there is, when will the first set of Assistant Medical Officers benefit by the award?

(c) What provision has Government made since the visit of the Elliot Commission to Nigeria, for students of the Nigeria School of Medicine to take shortened courses of medical studies abroad, either at the expense of the individual, or at Government's expense? Was this course suggested by Government to the Elliot Commission? If not, why not? If so, what was the recommendation of the Elliot Commission?

(d) What encouragement does Government give to an Assistant Medical Officer who wants to pursue studies abroad on his own by way of (i) allowing him to resign and proceed abroad (ii) by awarding part scholarship (iii) by recommendation of the individual to his University of choice in Great Britain, by the Board of Medical Examiners of Nigeria?

(e) (i) Does Government stipulate a period of compulsory service for Assistant Medical Officers (ii) when did this come into force?

(f) It is understood that there are some Assistant Medical Officers who would want to be relieved of their appointments, for purposes of furthering their studies abroad, etc., but who have not been released, on the grounds of the Defence Regulations. Now that the war is over, would Government not accept the resignation of these people? If not, why not?

(g) (i) Is it to the interest of the public, or the officer concerned that he be compelled to serve in the Government if he no longer wants to continue? (ii) If not, is it advisable to institute measures, through the Defence Regulations, nearly six months after the war, insisting on longer periods of Service than one would like to give?

Answer—

The Hon. the Director of Medical Services:

(a) Yes, Sir.

(b) The award of Departmental Scholarships to selected Assistant Medical Officers to enable them to undertake courses of post graduate study in the United Kingdom is at present under active consideration, and it is hoped that the first nominees will benefit during the current calendar year.

(c) As at (b) above. The Elliott Commission was advised as to the urgent necessity of improving the course of Medical training in

this country up to a standard which would be recognised in the United Kingdom as qualifying for entry to Diploma and Fellowship Courses and examinations there. The Honourable Member is referred to Sessional Paper No. 1/1946.

(d) It has so far been impossible to release any Assistant Medical Officer for Post Graduate study abroad owing to the acute shortage of qualified staff in the department, and for this reason resignations tendered have not been accepted.

(e) Yes, Sir; five years. The stipulation was first enforced last year.

(f) No, Sir, for the reason given at (d).

(g) (i) It is in the interests of the public that the medical services should not be curtailed by the release of staff at the present juncture. As a result of the situation created by the world war public interests must take precedence over private at present.

(ii) The measures were not instituted six months after the war but have been in force since March, 1943 (Public Notice No. 104 of 1943).

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, O.B.E.):

46. To ask the Honourable the Director of Medical Services:—

Owing to the increasing necessity for medical facilities in the Provinces and the apparent shortage of medical personnel, what steps are being taken, if any, towards the training of Africans as fully qualified Medical Officers and Sanitary Superintendents?

Answer—

The Hon. the Director of Medical Services:

Provision already exists for the training of fully qualified Medical Officers and Sanitary Superintendents.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, O.B.E.):

47. To ask the Honourable the Director of Medical Services:—

(a) Are there any African dentists employed by the Government?

(b) Is any provision being made by Government for the training of African dentists?

Answer—

The Hon. the Director of Medical Services:

(a) No.

(b) The report of the Commission on Higher Education in West Africa includes recommendations for a Dental School as part of the University College at Ibadan. In the meantime applications for Scholarships to Dental Schools in the United Kingdom are being accorded consideration.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, O.B.E.):

48. To ask the Honourable the Director of Medical Services:—

(a) Leprosy control—What sums, if any, from Government funds have been devoted to this purpose in the Northern and Southern Provinces during

(i) last financial year.

- (ii) the current financial year.
- (iii) and to which Provinces were these sums allocated?
- (iv) What sums have been estimated for this purpose by Native Authorities in the Northern Provinces? Will the Director of Medical Services name the Native Authorities and the amount in each case for last financial year and the current financial year?
- (b) What assistance is being afforded by Government in the Northern Provinces to Missionary organisations where leprosy work is being undertaken?
- (c) How many lepers are at present, receiving treatment at Egbe and Ejiba Leper Camps being run by the Sudan Interior Mission; and what, if any, is the medical assistance being afforded by Government?
- (d) Have Egbe and Ejiba Leper Camps ever been visited by the Director of Medical Service or his assistant?
- (e) How many Medical posts are there under leprosy control; and how many vacancies are there at present?

Answer—

The Hon. the Director of Medical Services :

(a) In addition to £3,500 distributed as drugs during the two years in question the following government contributions in actual cash were made towards Leprosy Control:—

		Northern Provinces			Southern Provinces		
		£	s	d	£	s	d
(i)	1944-45	950	0	0	9,412	0	0
(ii)	1945-46	1,288	0	0	2,287	2	11
		1944-45			1945-46		
		£	s	d	£	s	d
(iii)	Benue Province	300	0	0	300	0	0
	Adamawa Province	300	0	0	450	0	0
	Zaria Province	350	0	0	538	0	0
	Benin Province	940	0	0	260	0	0
	Calabar Province	2,200	0	0	2,000	0	0
	Onitsha Province	2,876	0	0	27	2	11
	Owerri Province	3,396	0	0			

- (iv) Financial statements in respect of the estimated contributions by Native Administrations for the current financial year have not yet come to hand, but the following sums were subscribed in 1944-45:—

		£	s	d			£	s	d
Ibadan	...	420	0	0	Katsina	...	1,275	0	0
Oyo	...	100	0	0	Kano	...	1,409	16	3
Awka	...	496	0	0	Hadejia	...	9	0	0
Onitsha	...	404	0	0	Kukuruku	...	75	0	0
Udi	...	390	0	0	Agbor	...	135	0	0
Awgu	...	140	0	0	Benin	...	400	0	0
Nsukka	...	396	0	0	Asaba	...	150	0	0
Okigwi	...	639	6	8	Urhobo	...	200	0	0
Owerri	...	639	6	8	Ishan	...	150	0	0
Bende	...	256	6	8	Jekri Sobo	...	200	0	0
Aba	...	129	0	0	Aboh Kwale	...	200	0	0
Ahoada	...	256	6	8	Western Ijaw	...	25	0	0
Tiv	...	374	0	0	Adamawa	...	360	0	0
Idoma	...	88	3	0	Shellen	...	84	0	0

	£	s	d		£	s	d
Zaria	1,000	0	0	Numan	24	0	0
Kontagora ...	7	0	0	Muri	12	0	0
Bornu and Biu	1,041	3	9	Bauchi	16	5	6
Sokoto	849	19	3	Gombe	16	4	0
Gwandu	83	13	8	Tangale Waja	34	12	6
Argungu	14	5	11				

In addition the following undetailed contributions were made to Itu Leper Settlement during 1944-45 by the Native Authorities named:—

Calabar, Owerri, Ogoja, Onitsha, Benin and Warri

Provinces £642.

(b) Free supply of special drugs plus the contributions shown at (a) (i) and (ii) above to Native Administrations Settlements operated by missionary organisations.

(c) According to the latest information there are said to be 1,000 inmates in the new leper camp which was opened without reference to the Medical Department. It is not possible to say how many of the inmates are lepers because the Sudan Interior Mission have made no arrangements for diagnosis of cases for admission by a qualified medical practitioner. No medical assistance is being afforded by Government. The Government medical officer at Lokoja cannot pay visits to these distant settlements or undertake the medical work involved. Instructions have been issued that the admission of further persons to these leper camps must stop.

(d) These camps have not been visited by the Director of Medical Services and only occasional visits are possible by a Government medical officer. When staff is available all inmates will be examined by a qualified Government medical officer and if non-lepers are found amongst the inmates action will be taken under the Public Health Ordinance.

(e) It is presumed that reference here is to the Government Leprosy Scheme and to qualified medical officers. The establishment is one Senior Medical Officer and seven Medical Officers. There is one vacancy.

The Second Lagos Member (The Hon. E. A. Akerele):

51. To ask the Honourable the Financial Secretary:—

(a) Whether the Government is now in a position to make an official pronouncement on the question of a Pension Scheme for Native Administration Servants?

(b) If not, how soon will Government be in a position to make a public pronouncement?

Answer—

The Hon. the Financial Secretary:

The attention of the Honourable Member is invited to Public Notice No. 4 of 1946 which was published in *Gazette* No. 2 of the 3rd of January, 1946.

The Second Lagos Member (The Hon. E. A. Akerele):

52. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether the names of the two candidates (Messrs Sadare and Ezea) submitted by the Federal Union of Native Administration Staffs for consideration for the award of scholarships have been considered by the Scholarship Committee?

(b) If not, will the Government consider these men together with the new names submitted along with candidates from the other Departments of Governments?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Scholarship candidates in the employment of Native Administrations are regarded as Departmental candidates and are considered by Government on the direct recommendation of the Chief Commissioner of the area in which they are employed without reference to the Scholarship Selection Committee which is primarily concerned only with applications for Open scholarships. The two candidates named by the Honourable Member were so considered in 1945.

(b) The selection being on an annual basis the persons referred to under (a) will not be considered this year unless recommended by the Chief Commissioner of the area in which they are employed.

The Second Lagos Member (The Hon. E. A. Akerele) :

59. To ask the Honourable the Financial Secretary:—

(a) How much are the totals of Native Administration Treasuries Reserves invested in foreign investments in respect of:—

(i) The Northern Provinces.

(ii) The Western Provinces.

(iii) The Eastern Provinces.

(b) Will the Native Authorities and the Government consider the advisability of withdrawing this amount from investments abroad for the improvement of local industries and development schemes in Native Authority areas?

Answer—

The Hon. the Chief Secretary to the Government :

(a) According to the latest information available the following sums comprising all invested Reserve Funds and Renewals Funds are invested in British Commonwealth Stocks by Native Administrations:—

	Nigeria Inscribed Stock	Other British Commonwealth Stocks
	£	£
Northern Provinces	208,967	999,830
Western Provinces	59,656	150,268
Eastern Provinces	48,105	47,803
Colony	—	3,000

(b) A general withdrawal of overseas investments would not serve the interests of the Native Administrations and is not considered advisable. For obvious reasons Native Administration cash balances, reserves and funds must be invested in gilt-edged marketable stock since the monies in question must be realisable as required. No such investments are at present available in Nigeria but will become available when the Government raises a local loan to assist in the financing of development. It is of course necessary for Native Administrations to maintain reserves for emergencies, such as famine, but it is the policy of Government to encourage Native Administrations to devote any sums available

over and above such reserves on useful works, feeder roads and other development projects. That form of "investment" is always going on, but will receive a new impetus with the end of the war and the adoption of a general policy of development.

BILLS

(Committee Stage and Third Readings)

THE INCREASE OF RENT (RESTRICTION) ORDINANCE, 1946

The Hon. the Attorney-General :

Sir, I have to report that this Bill has been considered in Select Committee, and to state that in accordance with Standing Rule and Order 51 (1) a copy of the amendments recommended has been distributed to each Honourable Member.

His Excellency :

The Report of the Committee may be laid on the table.

Report laid on table.

The Hon. the Attorney-General :

Sir, I beg to move that the Bill be recommitted to a committee of the whole Council.

Council in Committee.

Enactment.

Clauses 1-4.

Clause 5.

The Hon. the Attorney-General :

Sir, I beg to move that clause 5 be amended by deleting the full stop at the end thereof and adding thereto the following expression—

“, in cases where the normal net rent of such class or classes of premises would not exceed fifty-two pounds per annum.”;

Amendment approved.

Clauses 6-8.

Clause 9.

The Hon. the Attorney-General :

Sir, I beg to move that clause 9 be amended by inserting in the proviso thereto immediately after the expression “(c)” the following expression—“ is less than fifty-two pounds per annum and ”;

Amendment approved.

Clause 10.

Clause 11.

The Hon. the Attorney-General :

Sir, I beg to move that clause 11 be amended by deleting the words “ either of its own motion or ” occurring in sub-clause (5) thereof.

Amendment approved.

Clauses 12-21.

First Schedule.

Second Schedule.

Third Schedule.

Title.

Council resumed.

The Hon. the Attorney-General:

Sir, I beg to report the Bill from committee with three amendments. I beg to move that the Bill as amended be read a third time and passed.

The Hon. E. A. Carr (Commissioner of the Colony):

Sir, I beg to second.

Bill read a third time and passed.

His Excellency:

Gentlemen, that completes the business on the Agenda for this meeting, and it will be of interest to Honourable Members to know that I propose to call another Session of Council—the Budget Session—on the 18th of March. It is a little later than usual but we found that with one thing and another it would be difficult to get the business ready before the 18th of March, so I hope that date will be suitable for Honourable Members.

Council will now adjourn *sine die*.

Council adjourned at 11.45 a.m. sine die.

+

Council recommended by A. A. G. was, that the
Council will not refer any more

to get the business ready before the 18th of March, so I hope that

but we intend that with our friend and member it would be difficult
to get on the 18th of March. It is a little later than usual
and I propose to call another Session of Council—the first
meeting, and it will be of interest to Honorable Members to have
confidence, and confidence the business on the 18th for this
His Excellency:

Will send a third time and have
the 1 day to second.

The Hon. E. A. Carr (Commissioner of the Colony):

then and discuss.

me. I beg to report the Bill from committee with three amendments.

The Hon. the Attorney-General:

General answer.

Yes.

Answered.

Secondly.

Thirdly.

Fourthly.



NIGERIA

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Legislative Council Debates

Twenty-Fourth Session

18th, 19th, 20th, 21st, 22nd, 28th and 29th March,
1946

NOTE

An asterisk (*) against a speaker's name denotes that the transcribed speech has not been revised by the speaker

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NOTE

1946

1946-1947 Session

Twenty-Fourth Session

Debates

Legislative Council

Legislative Council

Legislative Council

Legislative Council

NIGERIA



Debates in the Legislative Council of Nigeria

Monday, 18th March, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Monday, the 18th of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.E.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.

The Resident, Abeokuta Province,
The Honourable E. N. Mylius.

The Director of Public Works,
The Honourable H. E. Walker, C.B.E.

The Director of Agriculture,
The Honourable A. G. Beattie.

The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.

The Mining Member,
The Honourable H. H. W. Boyes, M.C.

The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.

The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.

The Member for the Cameroons Division,
The Honourable J. Manga Williams.

The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.

The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.

The Member for the Warri Division,
The Honourable J. Ogboru.

The First Lagos Member,
The Honourable E. A. Akerele.

The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimicari.

The Member for the Ibo Division,
The Honourable E. N. Egbuna.

The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.

The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.

The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.

The Member for the Ijebu Division,
The Honourable T. A. Odutola.

The Second Lagos Member,
The Honourable I. Olorun-Nimbe.

The Commercial Member for Lagos,
The Honourable F. G. Frost.

The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

The Honourable E. W. Cannell.

The Third Lagos Member,
The Honourable A. Adedoyin.

EXTRAORDINARY OFFICIAL MEMBERS

The Honourable G. F. T. Colby,
Administrative Secretary.

The Honourable E. A. Miller,
Commissioner of Labour.

The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.

The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.

The Honourable W. B. Dare,
Commissioner of Income Tax.

The Honourable C. W. Reece,
Acting Solicitor-General.

The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.

The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.

The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.

The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.

The Senior Resident, Ilorin Province,
Captain the Honourable J. P. Smith.

The Resident, Ondo Province,
The Honourable E. V. S. Thomas.

The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.

The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.

The General Manager of the Railway,
The Honourable A. J. F. Bunning.

The Honourable E. A. Carr,
Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 8th of February, 1946, having been printed and circulated to the Honourable Members were taken as read and confirmed.

OATHS

The Honourable C. W. Hayward, Acting Comptroller of Customs and Excise; the Venerable and Honourable Archdeacon L. A. Lennon, M.B.E., Member for the Ondo Division; the Honourable W. V. Wootton, Commercial Member for Port Harcourt; the Honourable F. P. Mackenzie, Commercial Member for Kano; the Honourable E. W. Cannell; the Honourable A. Adedoyin, Third Lagos Member; the Honourable G. F. T. Colby, Administrative Secretary (Extraordinary Member); the Honourable E. A. Miller, Commissioner of Labour (Extraordinary Member); the Honourable N. S. Clouston, O.B.E., Commissioner of Lands and Director of Surveys (Extraordinary Member); the Honourable W. C. C. King, C.M.G., Commissioner of Police (Extraordinary Member); the Honourable W. B. Dare, Commissioner of Income Tax (Extraordinary Member); the Honourable C. W. Reece, Acting Solicitor-General (Extraordinary Member); the Honourable J. G. C. Allen, Acting Commissioner of the Colony (Extraordinary Member), took the Oath as Members of the Council.

ANNOUNCEMENT

By direction of His Excellency in accordance with the Regulations made under the Nigeria (Legislative Council) Order in Council, 1922, the Clerk communicated to the Council the report of the Returning Officer for the Municipal Area of Lagos regarding the election of Mr Adeleke Adedoyin as the Third Lagos Member of the Council.

PAPERS LAID

The Hon. the Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following papers :—

Sessional Paper No. 30 of 1945—Annual Report of the Mines Department for 1944.

Sessional Paper No. 6 of 1946—Report of the Lands and Surveys Department for the period 1st April, 1944, to 31st March, 1945.

Sessional Paper No. 8 of 1946—Address by His Excellency the Governor, Sir Arthur Richards, G.C.M.G., to the Legislative Council, 18th March, 1946.

Report of the Standing Committee on Finance for the period January-February, 1946.

Subsidiary Legislation made since the last meeting of the Council.

Draft Estimates, 1946-47.

Draft Railway Estimates, 1946-47.

QUESTIONS

NOTE.—Replies to Questions Nos. 10-14 by the Honourable the Member for the Ondo Division, No. 22 by the Honourable the Member for the Cameroons Division, Nos. 25 and 26 by the Honourable the Member for the Cameroons Division, No. 30 by the Honourable the Member for the Calabar Division, No. 34 by the Honourable the Member for the Calabar Division, Nos. 35-50 by the Honourable the Second Lagos Member, No. 52 by the Honourable the Second Lagos Member, Nos. 54-59 by the Honourable the Second Lagos Member, Nos. 61-76 by the Honourable the Second Lagos Member, Nos. 78-80 by the Honourable the Second Lagos Member, Nos. 85-94 by the Honourable the Second Lagos Member, Nos. 97-99 by the Honourable the Member for the Egba Division, Nos. 101-102 by the Honourable the Member for the Egba Division, Nos. 103-104 by the Honourable the Member for the Ijebu Division, Nos. 106-110 by the Honourable the Member for the Ijebu Division, Nos. 111-112 by the Honourable the Member for the Egba Division, Nos. 113-116 by the Honourable the Member for the Rivers Division are not yet ready.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

1. To ask the Honourable the Director of Public Works whether he will consider the immediate advisability of tarring the Aba-Oron Road as a part of the scheme under the Ten-Year Plan of Development and Welfare for Nigeria, especially as the traffic on that road is becoming very heavy and brisk and likely to grow heavier with the return of business to normal?

Answer—

The Hon. the Director of Public Works:

The question of tarring the Aba-Oron Road will be given consideration for inclusion in the scheme under the Ten-Year Plan, but information at present available does not indicate that the costs of maintenance or volume of traffic have yet reached figures which would justify favourable consideration at present.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

2. To ask the Honourable the Director of Public Works Department whether, in view of the fact that the Uyo-Oron Bridge on the Aba-Oron Road is so narrow, for which reason there have been occasional lorry accidents the last of which demolished a good part of the iron railing of the bridge, he will indicate how soon the widening of that bridge and the repair of the iron railing thereon will be undertaken?

Answer—

The Hon. the Director of Public Works:

The bridges on the Uyo-Oron Road are single track bridges in common with all other road bridges in Nigeria except the Carter Bridge. It is not considered that the cost of providing double track bridges on this route is justified by the present day intensity of traffic.

The necessary repairs to the hand railing have been effected.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

3. To ask the Honourable the Director of Medical and Sanitary Services the number of European Medical Officers who have voluntarily retired from the service of Nigerian Government by resignation in the past three years and the reason for such a course?

Answer—

The Hon. the Director of Medical Services:

In the last three years one European Medical Officer resigned from Government Service to join the Army.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

4. To ask the Honourable the Director of Education:—

In view of the acknowledged backwardness of education in the Northern Provinces, why does Government continue to withhold from Northern Provinces schools that measure of financial assistance afforded to schools in the Southern Provinces?

Answer—

The Hon. the Director of Education:

Government does not withhold from Schools in the Northern Provinces that measure of financial assistance which it affords to schools in the Southern Provinces. As however the number of schools in the Northern Provinces which qualify for assistance is far smaller than the number of qualifying Schools in the Southern Provinces the total financial assistance given to education in the Northern Provinces is less than that given in the Southern Provinces.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

5. To ask the Honourable the Director of Education:—

Is Government aware that by paying 100 per cent salaries and headmasters allowances in the Southern Provinces and not in the Northern Provinces they are encouraging the best of the northern teachers to transfer to the Southern Provinces and making it almost impossible to replace them?

Answer—

The Hon. the Director of Education:

Government does not pay 100 per cent salaries to any educational Agency in Nigeria nor does it pay Headmasters' allowances. The salaries of certificated (Non-Government) teachers are in accordance with the 1942 Board scales in North and South alike. The Grants Sub-committee of the Southern Board has this year recommended the payment of small allowances to Headmasters of large schools. Those proprietors who pay these allowances must do so from their general grant; no Government funds are allotted for this specific purpose.

There is no evidence that there has been a considerable migration of Northern teachers to the Southern Provinces.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

6. To ask the Honourable the Director of Education:—

As it has been possible to make improvements in the Grants system in the Southern Provinces, why has it not been possible to make similar changes in the Northern Provinces?

Answer—

The Hon. the Director of Education:

An experimental re-assessment of the Grant-in-Aid has been made this year in the Eastern and Western Provinces and the results are now being examined. If they prove satisfactory, and are approved by Government, the Northern Board of Education will be invited to consider their suitability for the Northern Provinces.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

7. To ask the Honourable the Director of Education:—

Whether the Government Grants to Assisted Schools in the Southern Provinces do not exceed the estimated revenue from the direct taxation of the Southern Provinces: and if so, does this not mean that direct taxation from the Northern Provinces is being used for education in the Southern Provinces instead of providing adequate grants of Assisted Schools in the Northern Provinces?

Answer—

The Hon. the Director of Education:

The total expenditure on grants to assisted Schools in the Southern Provinces does exceed the revenue derived from the share of direct taxation from the Southern Provinces which is retained by Government. It should, however, be remembered that Government revenue from direct taxation in the present financial year represents only about 6 per cent of the total revenue. Because the sum spent on grants to schools in one area exceeds Government's revenue from direct taxation in that area it does not follow that the area is being subsidized by other areas.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

8. To ask the Honourable the Director of Education:—

Apart from grants, what was the expenditure by the Central Government on education in the Benin Province last financial year: and what was the expenditure by the Central Government for the same period in the neighbouring Kabba Province?

Answer—

The Hon. the Director of Education:

The expenditure for Benin was £11,653. Owing to short notice the exact figure is not yet available for Kabba but £1,200 is an approximate figure.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

9. To ask the Honourable the Director of Education:—

How often has the Director or the Acting Director of Education visited the Kabba Province since 1938?

Answer—

The Hon. the Director of Education :

Twice.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

15. To ask the Honourable the Director of Marine:—

(a) As the "Pathfinder" is not yet available and no other vessel has been purchased what are the intentions of Government in regard to sea transport between Nigeria and the Cameroons?

(b) Should the £20,000 under special expenditure provided in the Estimates of 1945-46 not be reallocated for the same purpose in the Estimates of 1946-47, especially as travelling conditions between Victoria and Calabar are still so appalling?

Answer—

The Hon. the Director of Marine :

(a) Officers for the *Pathfinder* are not yet available. As soon as they become available it is the intention of Government to run a fortnightly service between Lagos, Calabar, Victoria and Port Harcourt.

(b) The present position will be improved once the *Pathfinder* is put into commission. Moreover, it is anticipated that within the next twelve months the shipping companies will restore the coastal services which were available before the war, and in these circumstances the need for the provision voted in 1945-46 for a new vessel will disappear.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

16. To ask the Honourable the Director of Education:—

Will Government kindly arrange periodical visits of experts to the technical school at Bota Plantation for its improvement?

Answer—

The Hon. the Director of Education :

Government has already made arrangements for such visits.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

17. To ask the Honourable the Director of Education:—

How many Cameroonians have enjoyed Government Scholarships for Colleges in Nigeria and how many have been awarded scholarships for overseas training in the United Kingdom?

Answer—

The Hon. the Director of Education :

Twenty-one Cameroons boys and one Cameroons girl have up to the present been awarded Government scholarships to Government

Colleges. Government has paid the fees of twenty-nine other Cameroons girls attending Mission Training Colleges or Centres. No Cameroonian has as yet been awarded a scholarship tenable in the United Kingdom.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

18. To ask the Honourable the Chief Secretary to the Government:—

How many promotions to the grade of Assistant Chief Clerk and above have been given to Cameroonians serving in the Civil Administration in the clerical Departments for these 25 years of British occupation?

Answer—

The Hon. the Chief Secretary to the Government:

So far as can be ascertained from the records available, the number is seven.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

19. To ask the Honourable the Chief Secretary to the Government:—

Will the Government be prepared to extend facilities for employment of female staff in the various Departments in the Cameroons?

Answer—

The Hon. the Chief Secretary to the Government:

Yes, Sir, if qualified candidates are available.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

20. To ask the Honourable the Chief Secretary to the Government:—

Has Government arranged promotions for Native Administration employees and at what age limit are they to retire?

Answer—

The Hon. the Chief Secretary to the Government:

Yes, Sir. The normal age for compulsory retirement is 55.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

21. To ask the Honourable the Comptroller of Customs and Excise:—

Why is baggage of Passengers from Lagos to Port Harcourt being examined by the Customs at Port Harcourt?

Answer—

The Hon. the Comptroller of Customs and Excise :

The baggage of passengers from Lagos to Port Harcourt is only examined at Port Harcourt in cases where a passenger has travelled in a foreign-going ship and there is reason to believe that he may have in his possession dutiable goods purchased on board which he has failed to declare.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

23. To ask the Honourable the Chief Secretary to the Government:—

Whether legislation can be introduced to award compensation to travellers in passenger motor vehicles who are delayed or otherwise inconvenienced by breakdowns?

Answer—

The Hon. the Chief Secretary to the Government :

No Sir, breaches of contract between passengers and carriers come within the civil law and it is not considered advisable to impose further statutory provisions.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

24. To ask the Honourable the Chief Secretary to the Government:—

(a) Why, during the War, the publications of Jehovah's Witnesses were seized without receipts or compensation being given?

(b) Will Government not consider returning the publications to their owners or compensate them for their loss?

Answer—

The Hon. the Chief Secretary to the Government :

(a) All prohibited publications and records of the Watch Tower Bible and Tract Society which were already in Nigeria, were seized and confiscated under the provisions of the Nigeria Defence (Watch Tower Publications) Regulations, 1941 (No. 53 of 1941) as they were considered by Government to contain seditious and subversive propaganda.

(b) No, Sir.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.) :

27. To ask the Honourable the Chief Secretary to the Government:—

(a) How many divisions of the Supreme Court are there in Nigeria and where is each established?

(b) How many Chief Clerks were there in the whole of the Judicial Department of Nigeria previous to 1945?

(c) Where were they located?

(d) Is any increase in the number of Chief Clerks contemplated? If so how many and where are they to be posted?

Answer—

The Hon. the Chief Secretary to the Government:

(a) There are eight divisions of the Supreme Court established at the following places:—

Lagos, Ibadan, Warri, Aba, Enugu, Onitsha, Calabar and Kaduna.

(b) One.

(c) Supreme Court, Lagos.

(d) Yes, provision has been made in the 1946-47 Estimates for three additional posts of Chief Clerks the holders of which will be posted as follows:—

One in the Magistrates' Courts Lagos and two in the Headquarters Office.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

28. To ask the Honourable the Chief Secretary to the Government:—

As all Supreme Courts are of equal status, (a) why is the staff in the Provinces graded differently from that of the Supreme Court in Lagos?

(b) Why are Estate and Marriage matters still reserved for the Supreme Court in Lagos?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Court Staff in the Provinces is not graded differently from that in the Supreme Court in Lagos. There are however in Lagos two posts of higher grade than exist in the provinces, viz. Senior Registrar and Chief Clerk. The persons occupying these two posts are employed in connection with the work of the courts throughout Nigeria and their duties are not confined to the working of any one Court.

(b) Matrimonial and Probate jurisdiction is exercised by every Divisional Court and is not confined to the Court of the Lagos Judicial Division. Applications for Probate, however, are made in the first instance to the Probate Registrar in Lagos who deals with non-contentious matters: contentious matters are referred by the Chief Justice to the appropriate Divisional Judge.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

29. To ask the Honourable the Chief Secretary to the Government:—

How many promotions in the Judicial Department from 2nd Class Clerk to 1st Class Clerk have there been since 1942 and how many were promoted 1st Class in the West and East respectively during this period?

Answer—

The Hon. the Chief Secretary to the Government:

Thirty-one. Of these promotions, eighteen were of Clerks then stationed in the Western Provinces and nine of Clerks then stationed in the Eastern Provinces.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

31. Seeing that the importance of Calabar Port depends upon the facilities offered by her water-ways, to ask the Honourable the Director of Marine:—

When is Government contemplating the dredging of the Calabar Harbour?

Answer—

The Hon. the Director of Marine:

Dredging at Calabar cannot be undertaken until additional dredgers are acquired. As these vessels will take eighteen months to build from the date the order is placed, it is unlikely that any dredging work can begin at Calabar for some time to come.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

32. To ask the Honourable the Director of Marine:—

When will the Reclamation Vessel be made available for the reclamation of Calabar swamp lands?

Answer—

The Hon. the Director of Marine:

While there will be some spoil to be disposed of if and when dredging is carried out in Calabar Harbour, it has not yet been determined where that spoil will be used and the use of a reclamation vessel will not necessarily be involved. In any case the present reclamation vessel will be fully occupied elsewhere for some considerable time.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

33. Owing to the volume of business which will come down from the hinterland of Calabar because of the opening up of the Calabar-Mamfe road to ask the Honourable the Director of Marine:—

When Government is contemplating building at Calabar Harbour a larger and more suitable Quay or Wharf capable of giving anchorage to 3 or 4 ships at a time?

Answer—

The Hon. the Director of Marine:

The Honourable Member is referred to Sessional Paper No. 24 of 1945, Appendix VI paragraph 8—A Ten-Year Plan of Development and Welfare for Nigeria, 1946, as approved by the Legislative Council on 7th February, 1946.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

51. To ask the Honourable E. A. Carr (Commissioner of the Colony) to state for the information of this House:—

(a) The number of houses or tenements within the Municipal Area of Lagos, that have been sold within the past 12 months ending 31st December, 1945, for failure of owners to pay Township and Water Rates by order of the Lagos Town Council and (b) How many individuals who may be landlords or tenants who have been imprisoned for not paying Township and Water Rates during the same period?

Answer—

The Hon. E. A. Carr (Commissioner of the Colony):

- (a) None.
- (b) None.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

53. To ask the Honourable the Chief Secretary to the Government whether there is any serious objection to the cancellation of the rationing of Whisky in the Municipal Area of Lagos, since Gin and Brandy have been released?

Answer—

The Hon. the Chief Secretary to the Government:

Yes, Sir. Whisky cannot be de-rationed in Lagos until it is possible to take such action in respect of the whole of Nigeria. Inadequate supplies make it impossible to do so at present.

Gin rationing ceased immediately adequate supplies were available. Brandy has never been rationed.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

60. To ask the Honourable the Chief Secretary to the Government whether the proposal to erect a new court house at Lafaji, Lagos, to cost £100,000 has been abandoned?

- (a) If so, what are the reason or reasons for the abandonment of that scheme?
- (b) How much has been paid by way of compensation for the properties on the north side of the Race Course acquired for the purpose under the Public Lands Acquisition Ordinance?
- (c) What will be done with the properties acquired and paid for?
- (d) Is there any new scheme proposed for a new court house on any other site on the Island of Lagos, if so, where?

Answer—

The Hon. the Chief Secretary to the Government:

No Sir.

- (a) Does not arise.
- (b) £10,485 11s 6d.
- (c) Does not arise.
- (d) Does not arise.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe):

77. To ask the Honourable the Chief Secretary to the Government whether it is a fact that the Government have refused to allow the Zik group of newspapers in Nigeria to renew this year their Wireless Licence as Reuters Sole Agents for British West Africa?

If so, will the Honourable Member please state the reason or reasons which have led Government to take that decision?

Answer—

The Hon. the Chief Secretary to the Government:

The Class B Wireless Licence previously held by the Manager of Zik's Press Ltd. has not been renewed as the holder of this licence, in July 1945, took advantage of the licence to circulate and publish messages which were claimed to have been received from Reuters but have since been proved to have come neither from Reuters nor from any other known news agency.

The false messages were as follows:—

“REUTER. African Coastal. July 10, 1945. 5.45 p.m.

LONDON.—Great unrest in military circles in Burma as operators handed down deplorable news of closing down of *West African Pilot* in Lagos in Nigeria. News went round like wild fire and though contrary to military laws West African soldiers are seen by tens and twelves and thirties conferring. Absolute regret and anger on all brows of sturdy soldiers who it is expected might mutiny”

“GLOBE REUTER'S Evening News. July 10, 1945. 7.30 p.m.

LONDON.—Many more wireless messages from unknown code stations are still being intercepted here expressing regret over situation in Nigeria, West Africa Another ship with unknown code sign from South Africa has flashed suggesting institution of commission of inquiry to be sent immediately to Nigeria and ban on *West African Pilot* to be cancelled immediately and forthwith

Message says procedure of Nigerian Government absolutely disgusting and unconstitutional

West African soldiers on leave in Palestine have communicated various headquarters expressing entire dissatisfaction on ban on *West African Pilot* most valuable paper appointing day for mass conference of all soldiers”

Copyright. REUTER.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

81. To ask the Honourable the Chief Secretary to the Government:—

What are the specific duties of an “Administrative Secretary” in juxtaposition to the Honourable the Chief Secretary to the Government?

Why is the salary fixed at £1,700?

What are the duties of the Deputy Chief Secretary?

Answer—

The Hon. the Chief Secretary to the Government:

The duties of the Administrative Secretary are to deal with the following matters under the general direction of the Chief Secretary:—

Political affairs and Native administration;

Policy and administration in respect of air transport control and navigation;

Aerodrome management;
 Chemistry;
 Law and Order;
 Labour and Industrial Welfare;
 Administration of Estates;
 Registration of Companies and administration of Companies Ordinance;
 Land and Surveys (other than Town Planning, Aerial Survey and Development);
 Military and Defence;
 Mining;
 Public Relations;
 Printing and Stationery;
 Resettlement of ex-servicemen;
 Import Price and Food Control;
 Supplies;
 Township Administration (except Town Planning);
 Museum and Libraries;
 Foreign Affairs;
 Immigration;
 Aliens;
 Posts and Telegraphs (other than development of telecommunications and financial matters);
 Arms and Ammunition;
 Publications;
 Meteorology;
 Dogs;
 Liquor;
 Lunatics;
 Pilgrims;
 Repatriation;
 Locust Control;
 Housing of Government servants.

Civil Service:

Appointments;
 Qualifications for appointment;
 Confirmation;
 Transfers;
 Promotions;
 Secondment;
 Retirement;
 Discipline;
 Grant of Leave;
 Examinations;
 Efficiency Bars;
 Changes of title;
 Increments, granting or withholding of;
 Seniority.

The salary was fixed at £1,700 since the post of Administrative Secretary replaces the post of Deputy Chief Secretary which carried the same salary. The post of Deputy Chief Secretary will be abolished on the retirement or promotion of the present holder.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

82. To ask the Honourable the Chief Secretary to the Government how soon will Government abolish the granting of "Exit Permits" to British Subjects so that they may be free to travel as formerly?

Answer—

The Hon. the Chief Secretary to the Government :

Since the 25th of February, 1946, exit permits for persons leaving Nigeria have no longer been required.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

83. To ask the Honourable E. A. Carr, Commissioner of the Colony why 195 goldsmiths out of the 277 who have been working in Lagos for very many years without any complaints against them have been refused licences under the new Ordinance?

Answer—

The Hon. E. A. Carr (Commissioner of the Colony) :

In respect of the current year ninety-five applications for renewal of licences and 394 applications for new licences were examined by the Inspector of Mines, Western Inspectorate, assisted by an Administrative Officer and representatives of the Goldsmiths' Union. Of these ninety-three licences were renewed and 153 new licences approved. Two licences were not renewed on the grounds of criminal convictions recorded against the applicants' lack of experience and training in goldsmithing. In respect of forty-five of the new licences approved fees have not been paid and licences therefore not issued.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

84. To ask the Honourable the Chief Secretary to the Government what was the cost of "Essential Services" provided during the whole period of the 1945 Strike?

Answer—

The Hon. the Chief Secretary to the Government :

It is assumed that the Honourable Member wishes to know what additional cost was incurred by the Government in maintaining essential services during the Strike. The Standing Committee on Finance has so far voted £20,000 and charges against this provision at present received amount to £16,766. It is unlikely, however, that this will be the final figure.

The First Lagos Member (The Hon. E. A. Akerele) :

95. To ask His Honour the Chief Commissioner, Eastern Provinces :—

(a) Is it true that only 25 per cent Cola is being paid to Native Administration employees of the Eastern Provinces at the same stations where Government employees receive the full approved rates of 40 per cent?

(b) Is His Honour also aware that in these areas these employees suffer extreme hardship due to the ruling exchange rate of the Manila Currency which forces down their salaries by 50 per cent?

(c) If the answers are in the affirmative, would Government consider the immediate payment to these men of the full rates of Cola approved by His Excellency and the retrospective payment to them of the arrears from the time they have not been receiving the extra 15 per cent in their rates of Cola?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) On the assumption that the Honourable Member is referring to the Calabar Province, where, prior to the issue of circular No. 81/1945 of October 12, 1945 by the Chief Secretary, the approved rate of Cost of Living Allowance for Government employees was 40 per cent, the answer is that in all parts of the Province other than the Townships of Calabar and Opopo Cost of Living Allowance is granted to the employees of Native Authorities at Grade C (30 per cent) and to the employees of Government at Grade B (48 per cent).

(b) No, Sir.

(c) No, Sir.

The First Lagos Member (The Hon. E. A. Akerele) :

96. To ask His Honour the Chief Commissioner, Eastern Provinces :—

(a) How many decentralized Native Authority Treasuries in the Eastern Provinces were unable to balance their annual budget without Government assistance during the financial year 1944-45?

(b) How many of these re-organised Native Authority Units have applied for a re-united Treasuries and Central Councils?

(c) How many Native Councils there are in the Eastern Provinces?

(d) How many of these Councils are capable of action independent of District or Assistant District Officers?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) Eighteen Native Treasuries were unable to balance their budgets without Government assistance during the financial year 1944-45.

(b) Two Native Authorities in the Awka Division of the Onitsha Province, which required Government assistance in order to balance their budgets during the financial year 1944-45, have obtained approval to amalgamate their Treasuries and to form a joint Native Authority. No other Native Authorities have sought such approval.

(c) The Honourable Member is referred to Public Notice No. 95 of 1945, published in the Supplement to *Gazette Extraordinary* No. 26 of May 2, 1945, which shows that 583 Native Authorities have been constituted for the Eastern Provinces.

(d) All Councils which have been constituted Native Authorities have such legal capacity as is prescribed by the Native Authority Ordinance, 1943, to act independently of District or Assistant District Officers.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan) :

100. To ask the Government whether it is within its power to bring down the prices of general merchandise including cotton goods to the level of 1944 and if not can Government give reason why the prices of imported goods soared up so much at the end of Wars in Europe and Asia?

Answer—

The Hon. the Chief Secretary to the Government :

Government has taken and is taking every possible step to bring prices down but the cost of imported goods primarily depends upon cost in the country of manufacture.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

105. To ask the Honourable the Chief Secretary to the Government:—

Apropos to the reply to Question No. 104 of 10th December, 1945, and noticing the absence in the reply of any mention of the Western Provinces in the award of scholarships to Native Administration employees, whether there were no applications prior to or in 1945 for this privilege of scholarships?

Answer—

The Hon. the Chief Secretary to the Government :

One candidate was recommended from the Western Provinces Native Administrations in 1945 but he was not awarded a scholarship. There were no applications before 1945.

SPEECH BY HIS EXCELLENCY THE GOVERNOR

HONOURABLE GENTLEMEN,

My third Annual Address has been printed and placed in your hands a week ago in order that you may have time to read this review of the year's work before embarking on your Budget Speeches. This Session, probably the last under the old Constitution, marks the end of an epoch — or the beginning of a new epoch, according to the way one looks at it. New Letters Patent, Orders in Council and Royal Instructions have been drafted and will soon be published. I have hopes that the next Budget, in March, 1947, will be considered by the new Legislative Council of Nigeria appointed under the new Constitution, and that the Regional Houses of Assembly will have settled down during 1947, and be ready to play their full part in dealing with the expenditure for 1948.

Last year Lord Lugard died. In the proud record of British Colonial Administration two names stand out — those of Stamford Raffles and Lugard. Speaking in Nigeria there is no need for me

to say what Lugard did in bringing order out of chaos, and in laying the foundations of the Nigeria we see today. Those who knew him personally marvelled how great a heart beat within that slender frame, and with what sure instinct he planned the administration. There is always something sad about the passing of a great man. Lord Lugard had a modesty commensurate with his greatness and his fondest hope was that he had made some contribution to the future of the Nigerian people in whose welfare his interest never flagged until the end.

To the ordinary man the outstanding characteristic of Lord Lugard was his prodigious industry. He never took a day off; he was at work all day and far into the night wherever he was — in Zungeru, on a launch on the Niger, in rest-houses, even on leave and on the voyage to and from Lagos — and he continued to work at the same pitch right up to the end of his life. Only a man of his physical strength and tenacity of purpose could have accomplished that immense amount of detailed work, and at the same time, amid all the urgent problems, the day-to-day changes and the constant risks of those early days, have kept in clear perspective the administrative structure which he was building up and which we and all the world know today. Yet behind all this there was no mistaking the soldier and the man of action in the alert and wiry figure of "the Little Man", as he came to be known later on. One did not argue with his swift decisions; once made they were immovable. One of his notes, on the choice of a school site, read, "I planted a white stick where the Superintendent's house should be" — and there it was, and is.

It was no wonder that he inspired confidence in all those with whom he worked and that less than ten years after he had made his first adventurous journey northwards from Jebba, a stranger could travel alone and in perfect safety through a settled and orderly country, rid of the slavery which he hated, and governed, under his wise guidance, by the Africans in whose service he spent his life.

Meanwhile there have been further personal changes in our membership. Mr Gates has retired after serving on this Council since 1940. and Mr Oliver, whose term of membership expired last month, is retiring from the country where his quiet and unobtrusive public service in every undertaking connected with the war effort will be long remembered. We welcome as new members Dr Nimbe, Mr MacKenzie, Mr Cannell and Mr Adedoyin, declared at present to be the Third Member for Lagos.

In many respects I have less to say to you in my covering speech this year because so much has already been dealt with. In March, 1944, and in March, 1945, I dealt with many points of general policy, and I cherish a hope that Honourable Members will sometimes refer to those speeches and refresh their memories with statements of policy which have not lost their efficacy and

which it is not necessary for me to repeat. Furthermore, we have, at our meetings in December and January, given exhaustive consideration to the Development Plan. It is now published for all to read and requires no further elaboration by me.

In regard to our financial position, I made an interim statement in my speech to this Council on the 10th December last, and to that I have added an analysis and a review in my printed Address which I hope leaves nothing necessary unsaid. My Honourable friend the Financial Secretary will deal with our finances in greater detail in his Budget speech, and I can leave that exposition in his competent hands.

In my speech of the 10th December I dealt also with the strike of last summer, with the necessary continuance for a time of some of the war-time controls, and with the prospect of increased supplies. There is nothing that I can usefully add to or subtract from what I then said. The Cost of Living Commission of Enquiry has completed its investigations, and we now await its report. The matter is obviously of such grave importance that hasty pronouncements are to be deprecated, and I therefore appeal to all concerned to exercise patience.

I am becoming increasingly conscious of the cleavage of interest and outlook between Lagos and the rest of Nigeria — perhaps I ought to say between Nigeria and Lagos. Inside of Government service the accusation has often been made that the Central Government is too much coloured by residence in Lagos, and that to view Nigeria through Lagos spectacles is to have a distorted and false view. If there are any grounds for such an opinion inside of Government, whose officers at headquarters are constantly renewed from the Provinces and sent out again to the Provinces, how much more must it be true of those who live always in Lagos and claim a Nigerian mandate on the strength of the plaudits of the unemployed who throng the over-crowded streets of the capital city, and form one of its chief problems.

The new Constitution aims at fostering Nigerian unity and at giving every section of Nigeria an equitable share in its policy and a proportionate voice in its administration. By such means we can look forward to a true Nigerian perspective in which Lagos will remain the commercial and administrative capital greatly influenced by the Provinces, no doubt influencing them in turn, but not in a position to dominate them or to assert a political leadership which is not based on agreement and understanding.

We have heard a great deal lately about the freedom of the Press. I confess that a perusal of our local Press leaves me in doubt whether I ought to feel puzzled or amused. I cannot detect any lack of freedom. It seems to me that they use up all there is, and that any extension would bring the freedom-lovers within the warm embrace of the Criminal Code. I presume that the most

rabid apostle of freedom stops short of claiming to be above the Law. The true democrat claims to be free to live by no man's leave underneath the Law. The essence of freedom is surely that it is the equal property and right of all.

But we have been treated to a new interpretation of freedom of the Press—freedom according to the Gospel of Lagos and the Oracle of Onitsha—Freedom to demand that all who hold different views should be boycotted and suppressed, freedom to demand that freedom itself should be reserved for a small group which peddles patriotic sentiments for profit, and hysterically solicits the prayers and the pennies of the faithful to help in refusing to answer a simple challenge. Uneasy lies the head that would wear a martyr's crown — without the inconvenience and discomfort which generally accompanies martyrdom. Martyrdom *de luxe*, gentlemen, — price one shilling. Of course, these antics are ridiculous and unworthy of my attention or yours, were it not that the nonsense is dangerously dressed as patriotism and is intended to beguile and to lead astray the working classes, to create an illusion of sacrifice behind the incense-smoke of disciples' praise.

Ah yes, our Press is free — free to abuse, to sabotage effort, to kill enthusiasm, to impute bad motives and dishonesty, to poison the springs of goodwill and foul the well of trust, to impregnate the body politic with envy, hatred, malice and all uncharitableness — in short, free to do the Devil's work.

There are other kinds of freedom which I should like to see exercised — the freedom to support what is good, to help in a constructive approach to baffling problems, freedom to use moral courage in telling people the truth that miracles of progress cannot be wrought by a stroke of the pen or without hard work, and cannot be wrought at all in an atmosphere of mistrust.

A free Press should also be a responsible Press and should impose on itself of its own free will the restraint which decency demands and honesty dictates. A responsible Press is one of the essential bulwarks of freedom and responsible Government. Its absence impedes the progress towards self-government by making public life distasteful to many of those best qualified to take a leading part in it. So long as abuse of authority sells the paper, so long as private dividends take precedence of public duty — for so long must we expect to see men debauch the public taste and prey upon the prejudices and pennies of the poor. I repeat once more my appeal to the Press to use worthily the freedom which they possess.

I have said so much about Education in my printed Address that there is no need to add to it now. On one point only I think I should voice the public interest. A few months ago a young Nigerian returned from the United States of America and announced that he had been instrumental in securing 150 scholarships for Nigerian students to obtain education in America. A great

deal of publicity has been given to the statement but no further information has been published. The questions which arise are — what is to be the value of these scholarships, what is the origin and the total of the money, and how has it been set aside, who is to select the scholars, and how much in addition to the scholarship will it cost each student to live and study in America, and how is that money to be paid. I did not originate these questions. They have been asked by Africans in Lagos, and they have not been answered. No one would be more pleased than I if satisfactory answers are forthcoming to them. The Government of Nigeria is naturally interested, especially as it is part of the duty of Government to protect would-be students abroad from the hardship of going abroad with inadequate means — a hardship from which clear fore-knowledge can save them.

In my Budget Speech last year I emphasized the anxiety of Government to find qualified and competent Nigerians for the higher posts in Government Service. We want scores of teachers, doctors, engineers, agricultural officers, surveyors and so on. It is no use saying that there are plenty of qualified and competent Nigerians, because we all know that at the moment it is not true to say so. We can say that there must be plenty of Nigerians who could qualify and become competent if given the chance. With that statement I agree. The Government is most anxious to provide the facilities for such training. Our development plans contain such provisions and I am as impatient as you are, gentlemen, to get on with this work. The fact that we are hampered by the difficulties of post-war re-adjustment is not our fault. We ask for help and support in surmounting these difficulties. We are trying to do so much all at once and to catch up with the arrears of the long war years in circumstances which make progress slow. We are faced with every kind of shortage, personnel and material, with communications upset and uncertain, and with shipping preoccupied with repatriation of troops. I think that you are right, gentlemen, to press for action and for results, but I hope that in doing so you will not minimize the unusual difficulties which slow up the translation of intentions into results.

I wish to add a word or two on the subject of Land Acquisition, which has had so much publicity already.

In recent months there has been an organized opposition to the acquisition by Government of land in Lagos. Those who have organized this opposition, and the people of Lagos, should realize that Government does not acquire land for any purpose that is not in the best interest of the people of Lagos and of all Nigeria of which Lagos is the capital.

If Nigeria is to advance and take its place among the progressive countries it must have at Government Headquarters an organization large enough to carry out efficiently the central administration of the country.

The present Government offices in Lagos are quite insufficient for the Civil Service that is necessary for the administration and development of the country. Also a large increase of expert staff is required to deal with the organization and technical work connected with the development programme. Additional residential accommodation will have to be built to accommodate the additional staff.

Furthermore, the Government has in hand schemes for reclamation and for re-conditioning of land in order to be able to offer alternative sites to those who are dispossessed by slum clearance and to those who are living at extortionate rents in overcrowded tenements.

The town of Lagos contains some of the worst slums in the world. No attempt has been made by the landlords of Lagos to improve and modernize their properties. The poorer people at the present time have to live under conditions which are a disgrace to any country.

Government cannot provide an efficient administration or for the growth of a modern sanitary town without acquiring land. The opposition against every acquisition definitely obstructs the efforts of Government towards the improvement of Government services in Lagos and the development of the capital town of Nigeria into a modern city with the amenities which its citizens have a right to expect and which are necessary for their health and well-being.

The practice of acquiring land for public purposes and for town planning is not confined to Nigeria. One example appeared in the London "Daily Telegraph and Morning Post" of the 2nd of February. The headline was "Buying Half of Two Boroughs. L.C.C. Rebuilding Scheme." It was stated in the article that the London County Council is proposing to become the ground landlord of two-thirds of Stepney and one-third of Poplar. For what will probably be its biggest reconstruction scheme under the Town Planning Act it plans to purchase 1,960 acres in these two boroughs.

The time has come when the people of Lagos should ponder and ask themselves if they wish Nigeria to have a capital city in Lagos of which they and the people of all Nigeria can be proud, or if they wish Lagos to remain a backward town while other towns in Nigeria improve into well planned towns.

Last of all, I should like to make mention of one section of its servants to which the Government is specially indebted. I refer to the Police Force. For six long exhausting years they carried a very heavy burden of responsibility, they worked very long hours, and they dealt with difficult, and, in many cases, entirely novel situations, with credit to themselves and this Government. There has never been among them any sign of discontent, disloyalty or indiscipline. They have worked throughout these years with cheerfulness and a good spirit. They have shown a true conception of their obligations to the Government which employs them, and

to the public whose families and property they guard. I take this opportunity of conveying to all ranks of the Nigeria Police Force the Government's very warm appreciation of their record of work throughout the war years — a record of which they may well be proud. Improvement in their pay and conditions of service is under consideration and will not, I hope, be long delayed.

In conclusion, I reiterate that I have faith in our future. We stand so close to our own times, and we feel so wholesomely impatient with our slow rate of progress, that the sum of real achievement is apt to seem small. But the effect is cumulative, and if we have the faith to go on and the will to work, I think that our little page of History will not be unworthy of the Volume.

I thank you, gentlemen, for your attention.

MOTIONS

The Hon. the Financial Secretary :

Your Excellency, I beg to move the following:—

“ Be it resolved :

“ That the Report of the Finance Committee which was laid on the table today be adopted ”.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Sir, I beg to second.

Motion adopted.

The Hon. the Financial Secretary :

Your Excellency, I beg to move the following:—

“ Be it resolved :

“ That this Council approves the appropriation from the Net Revenue Account of the Nigerian Railway of the following:—

£

“ (i) to the Emergency Rolling Stock	
“ Reserve in respect of Purchases	
“ from the United States of	
“ America under Lease/lend	
“ Agreement	210,000

“ (ii) to Capital Receipts to make	
“ provision for essential capital	
“ works	64,296

£274,296 ”

The Railway surplus for 1944-45 was £661,715. On the 6th March, 1945, the Council passed a resolution for the appropriation to particular purposes of £387,420. This motion is for the appropriation of the balance. The appropriation of £210,000 to the

Emergency Rolling Stock Reserve will provide the full cover for the maximum possible charge in respect of Lease Lend supplies to the Railway. The Council has on two previous occasions voted the sum of £150,000 for this purpose so that this particular reserve will now stand at a figure of £520,000.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to second.

Motion adopted.

The Hon. the Acting Comptroller of Customs and Excise:

Your Excellency, I rise to move the Resolution standing in my name in the Order of the Day.

This Resolution—the Customs (Reduction of Duties—Motor Spirit) Resolution and Order, 1946—reduces the rate of import duty on Motor Spirit from 10d per gallon plus 25 per cent surtax to 8d per gallon plus 25 per cent surtax, a net reduction of 2½d a gallon. By this reduction of duty it is hoped to serve general economic interests by lowering the cost of motor transportation, and the loss of duty which would have resulted therefrom will be offset, it is believed, by increased importations.

Your Excellency, I beg to move that this Resolution be made effective from the 21st day of April, 1946.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to second.

Resolution adopted.

BILLS

(First Readings)

THE TEMPORARY INCREASE OF PENSIONS (NON-EUROPEAN OFFICERS (AMENDMENT) ORDINANCE, 1946

The Hon. the Financial Secretary:

Your Excellency, I beg to move the first reading of a Bill for

“ An Ordinance to amend the temporary increase of pensions (Non-European Officers) Ordinance, 1945.”

This Bill is intended to serve a two-fold purpose; to extend the present system of temporary increases to the pensions of non-European officers for another year and to provide for a further temporary increase of those pensions corresponding to the grant of increased cost of living allowance to Government servants. This increase will be effective from the same date, namely, 1st August, 1945.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

THE TEMPORARY INCREASE OF PENSIONS (EUROPEAN OFFICERS,
WIDOWS AND ORPHANS) (AMENDMENT) ORDINANCE, 1946

The Hon. the Financial Secretary :

Your Excellency, I beg to move the first reading of a Bill for
“ An Ordinance to amend the temporary increase of pensions
(European Officers, Widows and Orphans) Ordinance,
1945.”

This Bill merely effects for European pensions an extension for a further period of one year of the temporary increase which was sanctioned by the Principal Ordinance with effect from the 1st January, 1944.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a first time.

THE PUBLIC HEALTH (AMENDMENT) ORDINANCE, 1946

The Hon. the Director of Medical Services :

Your Excellency, I rise to move the first reading of a Bill entitled:—

“ An Ordinance to amend the Public Health Ordinance.”

The purpose of this amendment is to clarify the definition in the existing Ordinance of Medical Officer of Health and Medical Officer and their various functions and powers. Section 2 differs from the existing section by the inclusion of the title Sanitary Superintendent. In section 3, the existing section 4 of the Ordinance will be altered to enable the Director to nominate officers for the duties of Medical Officer of Health instead of as at present having that done in each case by Your Excellency. This will facilitate the changes in duties of officers resulting on their posting from one station to another. In section 4 of the Ordinance the power to remove the body of a person who has died from an infectious disease is restricted to a Government Medical Officer and not to any Medical Officer practising in the area.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a first time.

THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT)
ORDINANCE, 1946

The Hon. the Director of Medical Services :

Your Excellency, I rise to move the first reading of a Bill entitled:—

“ An Ordinance to amend the Medical Practitioners and
Dentists Ordinance, 1934.”

The necessity for this Bill has arisen owing to the fact that questions have been raised by the Court as to whether the giving of injections of dangerous drugs by unqualified persons for treatment of disease was contrary to the law or not. It is necessary for the protection of the public that only those persons who have been trained and licensed to give injections should be allowed to do so. This amending Ordinance is to make it clear that to administer injections of drugs without licence is an offence against the law.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Comptroller of Customs and Excise:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Wild Animals Preservation Ordinance, Chapter 99.”

In sub-section (1) of section 9 of the Wild Animals Preservation Ordinance a Collector of Customs and Excise is appointed the authority to whom a person shall apply for permission to possess, purchase, sell, transfer, or export any trophy or manufacture anything from any trophy, as defined in the Ordinance.

This permission is only granted if the applicant produces a certificate signed by an Administrative Officer, stating that the trophy had been lawfully obtained. It is considered that the part played by the Collector serves no useful purpose and that the written permission of an Administrative Officer is a sufficient safeguard.

Sir, I beg to move.

The Member for Shipping (The Hon. G. H. Avezathe, C.M.G.):

Sir, I beg to second.

Bill read a first time.

THE MAGISTRATES' COURTS (APPEALS) (AMENDMENT)
ORDINANCE, 1946

The Hon. the Attorney-General:

Your Excellency, I rise to move the first reading of a Bill entitled:—

“An Ordinance to amend the Magistrates' Courts (Appeals) Ordinance 1945.”

Under the existing law every appeal operates automatically as a stay of execution. That has been found to create hardship in certain instances and departs in some little way from the normal presumption that every judgment of a Court is correct until another Court

having jurisdiction has found it incorrect. This Bill proposes to substitute for section 4 another section whereby either the Court of Appeal or the Court below may grant a stay of execution; either unconditionally, or subject to such terms as the Court may think fit to impose.

This Bill also seeks to amend section 30 of the Ordinance by allowing for a stay of execution in those small cases in which there is no appeal, and which are dealt with by a Judge on review. The Bill does one other thing. Section 19 of the Ordinance as now drafted leaves it open to doubt whether in a criminal case an appeal would lie against sentence only. It is quite clear that such an appeal should lie in cases other than those in which the sentence is fixed by law. Clause 4 of the Bill was drafted to effect that purpose.

Sir, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

The Hon. the Attorney-General:

Sir, I rise to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LOCAL LOANS (REGISTERED STOCK AND SECURITIES)
ORDINANCE, 1946

The Hon. the Financial Secretary:

Your Excellency, I beg to move the first reading of a Bill for

“An Ordinance to make provision for the creation and issue of Registered Stock, Government Promissory Notes and Bearer Bonds for the purpose of raising loans in Nigeria.”

The enactment of this Bill will give effect to what I believe to be the wish of the Council that opportunities should exist for people in Nigeria to invest money in Nigerian Government loans raised within the country. It will also I know be welcome to His Majesty's Government, which for some time to come desires to reduce to a minimum the demands on the London money market for overseas loans. There is nothing controversial in the purpose of this measure and I think it will be difficult to find anything controversial in its contents.

Honourable Members will naturally relate this measure to the other Bill which authorizes the raising of a loan in Nigeria not exceeding one million pounds for any of the purposes scheduled in the Development Loan Bill passed by the Council towards the close of the last Session or for any such other purposes of development of Nigeria as may be duly approved. The Bill now under

consideration is, of course, a Bill of permanent effect under the general provisions of which specific loans, authorized by ordinances such as the one I have just mentioned, can be raised from time to time. This Bill is thus the equivalent, so far as local Nigerian loans are concerned, of the General Loan and Inscribed Stock Ordinance which governs the raising of loans overseas. The structure and main provisions of the Bill are adequately explained in the statement of objects and reasons. The Bill follows closely similar legislation in other Colonies, in particular the relevant Ceylon enactment which I may mention in passing I took some part in administering at one time. The Bill provides for the raising of local loans by means of Registered Stock or Government Promissory Notes or Government Bearer Bonds or by any combination of these methods. While I cannot at this stage forecast the terms on which the first issue will be made, my personal view is that to begin with we may be well advised to confine ourselves to the creation of Registered Stock making suitable arrangements to facilitate the sale or purchase of stock.

Arguments in support of the measure or its particular provisions do not appear to be called for now. It is satisfactory to think that in the near future the citizens of Nigeria will be able to make a sound investment and at the same time feel, and rightly feel, that they are serving their country's interests by investing their savings in its development. It would not, however, I think be out of place to take this opportunity of examining what seems to me a popular fallacy at present current in Nigeria, and indeed in other countries. I am aware of its existence not only from allusions in the press but also from a letter which I received some months ago. I may say in passing that I invited the writer of the letter to come and discuss the subject with me but I received no reply from him. The fallacy in question is that the Government is doing a disservice by allowing surplus funds, surplus or special, to be invested in securities overseas and that it would be in every respect better if those monies as well as the surplus balances of the Native Authorities were invested in Nigerian development. That is how the argument runs but it is based on confusion between two different types of investment. A Government or a local authority may decide to undertake a particular enterprise, say an electrical undertaking or a scheme of irrigation, and that enterprise will require funds and the money devoted to such a project is properly described as an "investment". That kind of investment, however, is totally distinct from an investment of surplus funds which by their nature must be realisable when called for. That is the essential point. Surplus funds and other funds for which Government is liable cannot be locked up in works of development for the obvious reason that they must be available on call. Meanwhile, pending the need to realise them they must be invested in marketable securities. Now the reason why the Government of Nigeria and the Native Authorities have

not invested their surpluses or other funds in Nigeria is that there are no gilt edged marketable securities available in Nigeria. The Crown Agents for the Colonies act for the Government and the Native Administrations in the matter of investment and they are guided, of course, solely by considerations of effective yield. Thus, if you find that Nigerian funds are invested in Canadian Government stock or in the Wolverhampton Corporation or in the stock of Kenya Colony, it is not because Canada or Wolverhampton or Kenya Colony has particular need of Nigerian money for its development: it is merely that those stocks represent a good monetary investment realisable when required. It also must be borne in mind that the stock-holders of the various Nigerian loans, both past and current, from which the railway, harbours and the other large public utilities have been constructed, are in the same way investors of money not actuated by any philanthropic desire to develop Nigeria but rather by a desire to find a reliable investment. It is proper however, that the fact should be borne in mind that as compared with the comparatively small sum which at any one time is invested in overseas securities by Nigeria, an immensely larger sum is invested by overseas countries in Nigeria. Probably all this is to Honourable Members of the Council perfectly obvious but it seems to me worth while to attempt to destroy, if possible, the illusion that Nigerian money is being used for the development of other countries when it could be used for the development of Nigeria. That is, of course, complete nonsense but it is nonsense with a certain currency.

I commend this Bill to the Council.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to second.

Bill read a first time.

THE NIGERIA (TEN YEAR PLAN) LOCAL LOAN ORDINANCE, 1946

The Hon. the Financial Secretary:

Your Excellency, I beg to move the first reading of a Bill for

“ An Ordinance to authorize the raising in Nigeria of a loan not exceeding One Million Pounds for purposes in connection with the Ten-Year Plan of Development and Welfare for Nigeria, and for such other purposes as may from time to time be approved.”

This is the first, I hope, of a series of Bills for raising specific loans in Nigeria under the provisions of the Bill the first reading of which I have just moved. The measure is brief and intelligible at a glance. It will be noted that the purposes for which the sum which can be raised under this Bill are purposes in connection with the Ten-Year Plan of Development and Welfare and for such other purposes as may be duly approved. It is, in fact, a

supplement to the Development Loan Ordinance which was passed by this Council during the last Session of the Council and together with that Ordinance will constitute an authority for the Government of Nigeria to raise £9,000,000 for development purposes. So far as this Bill is concerned the purposes will not be confined necessarily to those specified in the schedule of the Development Loan Ordinance. It is considered advisable to provide for other development purposes and so allow a reasonable margin of discretion.

Various questions may occur to Honourable Members; they may ask why £1,000,000 was fixed as the maximum sum to be raised under this Bill. The answer to that is that £1,000,000 was considered a reasonable target to aim at at the beginning. If it is found that the response to the first issue (the amount of which has not yet been fixed) is good, further issue will follow in close succession and if, as I sincerely hope, a million pounds is raised ^{within} a reasonable time, then I have no doubt that Your Excellency will agree, should the prospects prove favourable, to a further Bill of the same nature being presented at a later meeting of this Council. It seems unlikely, however, that Nigeria will be able to provide a very large portion of the total sum of £9,000,000 to which I have already referred, but that remains to be seen. Naturally, our demands on the London money market will be related to our successes on the local market. Honourable Members are already aware that over the ten-year period covered by the Plan, some sixteen or seventeen million pounds will be required by way of loan monies.

It would be incorrect for me at this stage to forecast the terms on which the first issue will be made. Those terms are under consideration and naturally ample notice will be given throughout Nigeria. As Your Excellency has intimated in the printed Address, it is hoped to make the first issue within the next few months and the Accountant-General, who will be responsible, has already taken the matter actively in hand.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I beg to second.

Bill read a first time.

THE LABOUR CODE (AMENDMENT) ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Labour Code Ordinance, 1945.”

Honourable Members will remember that at the 1945 Budget Session the main Labour Code was passed but that its operation was held up in order to give an opportunity to all interested persons, representing both employers and employees, and also the Trade Union Congress of Nigeria to study the provisions of the new law.

As a result of this study my Honourable and Learned Friend the Attorney-General and myself have received no less than 180 comments and it has been deemed advisable to submit this amending Ordinance to Council. As regards the actual amendments themselves, I think it is not necessary to take up the time of Honourable Members, as every point has been very clearly and fully explained clause by clause in the Objects and Reasons at the end of the Bill.

Your Excellency, I have to report that at a later stage I shall have to move two amendments to this Bill: to clause 8 where the first line of sub-section (a) has been repeated as sub-section (b) and to clause 16 where another typographical error refers to paragraph (e) instead of correctly to paragraph (c).

Sir, I beg to move.

The Hon. the Attorney-General:

Sir, I beg to second.

Bill read a first time.

THE INCOME TAX (AMENDMENT) ORDINANCE, 1946

The Hon. W. B. Dare (Commissioner of Income Tax):

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Income Tax Ordinance, 1943.”

The main purpose of this Bill is to increase by approximately one-half the rate of tax charged upon the profits of companies and upon the incomes of individuals. Your Excellency has referred in the printed Address to the development plans and to the financial position of the Colony, and I do not propose to refer to the necessity for the increase in the tax. It is my duty to explain briefly the provisions of the Bill, which to some extent is rather technical. Since the publication of the Bill, Sir, there has been a development of a very important nature which has materially affected, or will materially affect the revenue of Nigeria, and which will necessitate certain amendments being made at a later stage. I refer, Sir, to a new method for the granting of double taxation relief in respect of income which becomes liable to tax within two countries. There has been so far a method of relief within the British Commonwealth, the result of which has been that where income is liable to taxation in two countries the aggregate liability upon that income is the higher of the two rates charged, and the amount of tax so calculated is divided equally between the two countries, so that with a British rate of tax at 9s in the £ a company which is incorporated in Great Britain, and is therefore liable to British tax, and which is trading in Nigeria and is accordingly liable to Nigerian tax, would be liable to 9s in the £ on its income, and that 9s would be divided as to 4s 6d to Great Britain and 4s 6d to Nigeria. Therefore by increasing our income tax from 5s to 7s 6d Nigerian revenue would not be affected and would still only receive 4s 6d in the £,

The new arrangement which is at present under consideration, and which has been proposed by the British Government proposes the removal of the limitation of rate in the country in which the profits originate. The country in which the Company is resident will grant a direct credit against its tax of the full amount of tax which is born in the country where the profits originate. Therefore, the effect of that change of method will be that the full 7s 6d in the £ on the companies profits will accrue to the revenue of Nigeria, and it will not be restricted by any reciprocal relief agreements with Great Britain.

The application of these principles will necessitate further legislation and a further Bill will be brought before Legislative Council at a later date to give effect to the necessary amendments to bring into effect the arrangements which will be made with the United Kingdom Government, but there will of course be a time lag so that if this Bill is passed immediately for an increase in the rate of tax to 7s 6d Companies will not immediately become liable at 7s 6d. They will be liable at 4s 6d in the £ but on the passing of the further legislation, which will be passed this year, there will be an additional charge of 3s in the £ increasing the total liability to the full 7s 6d charged by this Bill.

It should be appreciated that the initiative for this change in the method of granting double taxation relief has come entirely from the United Kingdom Government, and it does mean a very substantial transfer of taxation revenue from Great Britain to the Colonies. I have no idea how much it will amount to where all the Colonies are concerned, but so far as Nigeria is concerned it will mean a transfer of income tax revenue to the Colony of over half a million pounds a year. It is not a grant or allowance for a limited period, or for any specific purpose. It is an allocation of direct taxation in perpetuity. The basis of allocation of tax between the two countries depends upon the country of origin of the profits, and it is not always easy to ascertain where profits do in fact arise. Clauses 3 (a) and (b) which were introduced to amend the existing clause (8) (1) were drafted before the detailed provisions of this double taxation relief were known. They do not conform to the arrangements which will have to be made with the British Government. I therefore propose that at a later stage those two clauses shall be withdrawn from the Bill and further consideration will, during the negotiations with the British Government, be given to the substitution of a clause or clauses which will conform to the general arrangements of the double taxation relief.

Clause 11 was a clause introduced to remove an inequity which arose mainly in the case of pensioners whereby under the old double taxation reliefs a person who was residing in England did not receive the full amount of relief which was intended for doubly taxed incomes,

By the new agreement clause 11 will become unnecessary and I propose to withdraw it at a later stage.

I have so far referred mainly to companies, but the Bill of course also means an increase in taxation of a more personal nature, the liabilities of individuals being increased by 50 per cent. The rates of tax which have been charged on individuals in Nigeria have so far been among the very lowest in the British Commonwealth, and if they were doubled they would still be well below the average amounts charged by all the Colonial Governments in respect of individuals similarly circumstanced up to about £2,000 a year. The Bill therefore proposes that the tax in the case of individuals should be increased by one-half, but provisions is also included to increase the allowances granted in respect of children so that the incidence of the increase will be lessened in the case of a family man. The children's allowances will be increased from £25 in the case of a child resident in Nigeria to £40 and in the case of a child living outside Nigeria the actual expenditure up to a maximum of £150 instead of the present maximum of £100. The total number of children in respect of whom allowances will be granted remains unchanged.

Some examples of the effect of the change might possibly be of interest to Honourable Members. In the case of a person having an income of £800—a single man's liability would be increased from £25 to £37 10s 0d. A married man's liability will be increased from £15 to £22 10s 0d and a married man with two children from £10 to £15. In the case of an income of £1,200 a single man's liability will be increased from £65 to £97 10s 0d. The liability of a married man with two children will be increased from £25 to £30 considerably less than a 50 per cent increase.

In the case of an income of £1,500 a year of a single man or a married man the increase is exactly 50 per cent. A married man with two children would have his liability increased from £55 to £67 10s 0d and by the granting of the additional relief in respect of children there are cases where the tax is actually reduced. In the case of a married man with four children earning £1,500 a year, his tax would be reduced from £35 in 1945-6 to £30 for 1946-7. Comparative amounts of tax payable outside Nigeria might also be of some interest. Taking a basic case of a single man with an income of £800—he would pay in Nigeria £37 10s 0d in East Africa, £107 10s 0d and in the United Kingdom £248 5s 0d.

To return to the general purposes of the Bill, a relief is proposed in respect of the wear and tear of commercial and industrial premises. Your Excellency will recollect that at previous meetings of the Council claims for such an allowance were made and they were refused as the Ordinance already contained provisions for allowances for the reconstruction of premises whereby it might be possible for a trading concern to obtain two reliefs in respect of the

same expenditure. Since these claims were last raised the matter has been very carefully considered and discussed with the commercial interests and it is now proposed that instead of an allowance for reconstruction of premises there shall be included an allowance during the life of the premises with a balancing adjustment when the premises cease to be used for commercial or industrial purposes, or are disposed of. As these allowances will be granted in respect of the full depreciation of the value of properties, it is of course necessary that there should be an adjustment in respect of any appreciation in the value of the properties, when they are disposed of. The provisions of the Bill may briefly be summarised as follows: To encourage modernisation of commercial or industrial premises an additional allowance not exceeding 10 per cent of the cost will be allowed as a deduction from profits in respect of the period during which the expenditure is incurred. During the remainder of the period during which the premises continue to be used for commercial or industrial purposes, there will be an allowance of four per cent or two per cent of the value of the property. When the premises are sold, demolished or abandoned and a further loss is made, a deduction of that further loss will be granted from the profits of the period during which the loss is fully realised. If on the sale of premises a profit is realised by the receipt of a sum exceeding the amount to which the original cost has been reduced by the allowances made, that excess will be treated as income. A specific prohibition is now introduced by clause 5 of this Bill into section 11 of the Ordinance so that no deduction shall be allowed in respect of the cost of reconstruction of the premises, and therefore the possibility of a duplicate claim for relief is removed. I regret, Sir, that Mr J. F. Winter who worked so hard in connection with this relief is not with us at present. He gave me a considerable amount of assistance in the discussions and consultations as to how this relief should be finally brought into effect, and I feel sure that he will be satisfied with the provisions which are now proposed.

The remaining clauses of the Bill relate to matters of administrative detail, and I think they are made sufficiently clear by the Objects and Reasons.

It has been suggested to me, Sir, that as the amendments to the Bill involve some very technical matters, and as it is only possible to refer very briefly to the bare outlines of these matters, the Bill should be considered in full detail by a Select Committee. If the commercial interests desire this I shall with your approval move at the second reading of the Bill that a Select Committee should be appointed to examine the Bill and report on it to Legislative Council.

Sir, I beg to move.

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a first time.

THE REGISTRATION OF NURSES ORDINANCE, 1946

The Hon. the Director of Medical Services :

Your Excellency, I rise to move the first reading of a Bill for

“ An Ordinance to provide for the registration of Nurses for the Sick and for the control, regulation and training of such Nurses.”

Sir, the question of the regulation of the Nursing Profession is growing increasingly important in Nigeria, and the time has now come when for the good of the profession itself it should be given the dignity of statutory recognition and at the same time for the good of the public when the institutions in which nurses are trained should be of an approved standard, the subjects in which they are trained should be prescribed and examinations should be of a recognized standard. The Bill for the Ordinance which is before Council, Sir, provides that these things should be administered and arranged by a Council, a Nursing Council. That Council has been given very wide representation so that all those who are interested both in the training and the employment of Nurses shall have a say in the regulations laid down for their training. The Ordinance does not interfere with the practice of nursing by those who are at present on any register kept by the Department. They will automatically be allowed to have their names entered in the new register and provision is also made for the registration of qualifications obtained outside of Nigeria. Registration under this Ordinance, I should make it clear to Honourable Members, is entirely voluntary and those who wish to continue as unregistered Nurses attending the sick will be allowed to do so. At the same time Hospitals and professional people who wish to employ nurses of recognised standard and qualifications will be able to do so by engaging those who are registered under the Ordinance. The purpose of this Ordinance is to prescribe rules to give status to the Nursing profession in this country.

The Hon. C. W. Reece (Acting Solicitor-General) :

Your Excellency, I beg to second.

Bill read a first time.

THE NON-EUROPEAN OFFICERS' PENSIONS (1945 STRIKE)
ORDINANCE, 1946

The Hon. the Attorney-General :

Your Excellency, I rise to move the first reading of a Bill for

“ An Ordinance to provide that the break in Service in the case of certain Government Servants arising out of a strike

which occurred in the year one thousand, nine hundred and forty-five, may be disregarded and that such period may be counted for continuity of service under the provisions of the pensions law."

Sir, the necessity for this Bill is a purely legal one to implement Government's policy in granting to those Government Servants who participated in the 1945 strike and to whom provisions of the Pension Law apply, continuity of service notwithstanding that break caused by their voluntary act. In short their service to count for pension or gratuity under provisions of the Pension Law must be unbroken. If by resignation or otherwise a break in service occurs then that break spoils legally the entirety of the service before the break occurred for the calculation of pension.

Well, Gentlemen, it has been Government's policy and Government has agreed that in the case of those Government Servants who participated in the strike, or for reasons arising out of the strike failed to attend their duties, should on this occasion be granted the benefit that that period of service should count for continuity of service but not in the computation of any pension, allowance or gratuity. It is a decision which Government cannot implement without this Bill which enables this to be done. The provisions of the Pension Law says service must be unbroken. If that break or breach is to be waived this Bill is necessary.

Sir, I beg to move.

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a first time.

THE 1944-45 SUPPLEMENTARY APPROPRIATION ORDINANCE, 1946

The Hon. the Financial Secretary :

Your Excellency, I beg to move the first reading of a Bill for

" An Ordinance to make Supplementary Provision 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 forty-five.

As a rule I would have moved this particular motion without comment since the Bill when enacted will merely give final legislative sanction to expenditure which the Council has already approved by the adoption of the several reports of its Standing Committee on Finance relating to the year 1944-45. A recent article in the local press on this Bill displayed, however, such a complete misunderstanding of the purpose of the Bill that a word or two may not be out of place, even though these words may convey to Honourable Members merely " glimpses " of the obvious." May I make a suggestion here, Sir, that if representatives of the press wish to have information about published official legislation I would

always be ready to see them and explain points if they so desire. If this suggestion were acted upon, it is possible that they would not be so ready to suggest so light-heartedly that the Government does not know its business or to disclose so clearly that they themselves do not know their facts. Legislative sanction for expenditure is given under Heads of Expenditure and it follows that if any particular Head of Expenditure is exceeded further legislative sanction is necessary no matter what the under-expenditure has been under other Heads. Actually in the year 1944-45 under the Nigerian Estimates proper there was a net under-expenditure (exclusive of the £500,000 voted to the Reserve Fund) of £421 and there was a true net surplus for the year of £1,856,009 although the excesses covered by this Bill do reveal that the amount of supplementary provision asked for and obtained is more than would be justifiable in normal times. The general financial position for the year 1944-45 was eminently satisfactory and need not give rise to the uneasiness or forebodings which were evidently felt by my anonymous friend.

The Hon. G. F. T. Colby (Administrative Secretary):

Sir, I beg to second.

Bill read a first time.

THE 1946-47 APPROPRIATION ORDINANCE, 1946

The Hon. the Financial Secretary:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to appropriate the sum of eighteen million, four hundred and fifteen thousand, six hundred and forty-five pounds to the Service of the year ending on the thirty-first day of March, one thousand nine hundred and forty-seven.”

For six successive years this Council has been invited to consider budgets largely shaped by war-time necessities and I feel, Sir, that it is an honour beyond my deserving that it should fall to me to present the first budget following the achievement of victorious peace. From my brief experience of the courtesy and consideration which characterise the Honourable Members of this Council, I know that I can rely upon their making due allowance for the difficulties of my task and the deficiencies in my local knowledge. These deficiencies, I have done something to make good in the last eight months and I propose, with Your Excellency's approval, to continue that process rather more effectively shortly by undertaking extensive tours throughout Nigeria.

Before embarking on the main stream of my argument I wish to discharge one or two obligations. The draft Estimates and related publications do not, of course, drop like manna from

heaven; they are the result of much sustained and collaborative work. To all who have contributed to the framing of these Estimates, Their Honours the Chief Commissioners, Heads of Departments, my colleagues in the Secretariat and others, a tribute of thanks is due, but in particular I would like to convey special tributes firstly to the Government Printer, who, in spite of many demands made on an under-staffed and rather ill-equipped press, always contrives to deliver the goods according to schedule and secondly to the African Assistant Secretary who, as Estimates Officer, had to cope with an immense amount of detailed work, often under pressure, and proved fully equal to the task. His ability and great industry augur well for the future of the African public service.

The first part of Your Excellency's printed Address is devoted to a review of the financial position and a summary of the financial measures planned for 1946-47. I shall avoid as far as possible traversing the same ground though since I am handling the same theme some repetition is unavoidable. Similarly there is bound to be some repetition of the facts and considerations which are set out in the Memorandum on the Estimates. Broadly, my observations will be complementary to these documents taking them as a text for commentary and amplification.

My earlier reference to the Budget being the result of collaborative effort is particularly true of the Estimates of Expenditure. These are in two parts, the second part representing the 1946-47 instalment of the Ten Year Plan of Development and Welfare. For the preparation of the Estimates in this part my Honourable Friend the Development Secretary has been responsible and he will, I assume, in seconding this motion speak on that part of the Estimates. This convenient division of the Estimates into two parts does not, as Your Excellency has pointed out, in any way impair the unity of the Estimates which, to be properly understood, must be considered as a whole.

Even allowing for the great relief which my Honourable Friend the Development Secretary will afford me, I find that the main difficulty in my task is not the lack of material but its amplitude. Selection there must be and that of a rigorous kind with resultant and important omissions. Let us glance first at the Nigerian Estimates themselves excluding the Railway Estimates. The Budget is summarized at the beginning of the draft Estimates as showing a total estimated revenue of £13,395,010 and a total estimated expenditure of £13,090,300 with a surplus of £304,710. To get a true picture of Government's large spending programme one must, however, also glance at Appendix I which discloses an anticipated expenditure of £1,530,950 being the 1946-47 instalment of the Development Loan programme. Since the draft Estimates were printed six weeks ago some, if not much, water has flowed under the bridges and I shall ask the Select Committee

on the Estimates to agree to certain changes therein, the effect of which will be to increase the total estimate of revenue by £258,980 to £13,653,990 and the total estimates of expenditure by £291,180 to £13,381,490 leaving a somewhat reduced surplus of £272,500. The Committee will also be asked to agree to increase the amount under Appendix I, that is the Development Loan programme, to £1,570,300. Doubtless more water will continue to flow under the bridges while the Select Committee is at work but I sincerely hope that after that the river of change will become frozen over and that a large measure of solid finality will be reached. The estimated surplus in relation to the sums we are handling is small; it is small, as Your Excellency has pointed out, in relation to possible contingencies with which we might be faced, but I do not for that reason view the prospect with great uneasiness. I feel, however, that the quinquennium of large surpluses closes with the current year and I must be forgiven if as Financial Secretary I admit that fact with wistful regret. The ship now passes from the shelter of the breakwaters into the open sea.

It is always useful to approach the future by way of the past, to relate the dimly seen shape of things to come to the clearly seen shape of things which have been. Not that the past is necessarily reproduced in the future; so far as Nigeria's financial fortunes are concerned I trust that this will not in fact be so; but it is proper and sobering to glance back if only to see what must be different in the future if there is not to be merely a melancholy reproduction of past set-backs and difficulties. Going back to the year 1927-28 as the year in which the Railway Revenue and Expenditure were first excluded from the Nigerian Estimates (though for a further eight years the net profit and loss on Railway working still appeared as part of these Estimates) I find that in the thirteen years preceding the first complete war year, 1940-41, there were deficits totalling in all, in round figures, £5,390,000. Some of the deficits in the early years before the onset of the great depression in the early thirties were apparently the result of a deliberate expansionist policy but in the main they were attributable to trade depressions affecting the sale and prices of Nigeria's produce. It is a fortunate circumstance, for which we must all feel grateful, that during the war years the lost ground has been more than made up. Many causes have contributed to this result; restricted Government expenditure, heavy Service expenditure which has meant a period of relative prosperity to contractors, middlemen, producers and others, the comparatively favourable treatment which West Africa received during the war years in the matter of imported consumer goods, increased taxation and above all the sustained demand for the produce of Nigeria at stable prices and under controlled arrangements. Whatever relative weight may be attached to these and other contributory causes, the gratifying fact stands that to the reserves (by which I mean the Reserve Fund, the Supplementary Sinking Fund, and the General Revenue

Balance) with which the year 1940-41 opened, namely £3,095,893 we had added by the end of 1944-45 the sum of £5,371,000 in round figures and that by the end of the current year a further estimated addition of approximately £885,000 should accrue still further to buttress the position.

Though this strengthening of the reserve position is gratifying as enabling us to move forward with a sense of strong supports to be called upon in case of need, I would not advise the Council to view the position with complacency: apart from the fact that the financial history of Nigeria in the inter-war period would not justify that attitude, it is proper to bear in mind that, if purely monetary terms are translated into what Government can get for its money in the way of equipment and human services, our resources are not so great as might at first sight appear from purely monetary comparisons with earlier years. Nor must it be overlooked that some of the causes—for example heavy Service expenditure within Nigeria—no longer operate in the same measure. A further sobering reflection is that of our reserves some £2,389,000 belong to the Supplementary Sinking Fund, that is a fund established for the purpose of redeeming public debt. This fund would undoubtedly have been much larger but for the chequered financial history of Nigeria in the thirties and it would be well if it were larger than it is. Personally, I sincerely hope that it will be possible to leave that Fund intact and even shortly to resume contributions to it related to the general public debt position; nevertheless, it is in order to regard this fund as available as a third line of defence against the onset of adverse financial conditions. Even if this fund is not taken into account the reserve should be ample to tide us over the period which must elapse before the Development Loan is raised on the London money market. In the meanwhile, moreover, our resources should be strengthened by the loan which it is hoped to raise locally in the course of this year. The lesson to be drawn from this brief review of the past may be summed up by saying, firstly, that it would be unsafe for Nigeria to denude itself too drastically of its reserves even for a temporary purpose and, secondly, that without the war time recovery from the serious setback of the thirties the policy embodied in the present budget, a policy of getting quickly and resolutely off the mark along the track of development, would not have been possible.

To turn now to the Revenue Estimates for 1946-47. The financial history of the war years has illustrated the difficulty of close estimating in war time; large surpluses have accrued from year to year largely as a result of the under-estimation of revenue. Reliable Estimates of revenue, particularly of revenue derived from commerce, are no less difficult now than they were during the war years and this state of things will continue until stable conditions are re-established. Meanwhile, the Revenue Estimates for 1946-47 have been framed in a spirit of cautious confidence,

It is reasonable to assume that with the return to more normal conditions some expansion of the volume of imports will take place but it is impossible to forecast the rate of expansion, dependent as this is on the process of reconversion in the exporting countries, particularly the United Kingdom. It is moreover certain that there will be in 1946-47 a material reduction in the imports of textiles. My Honourable Friend the Comptroller of Customs and Excise now considers that a sum of £4,000,000 will be realized under Import Duties in 1945-46. Normally I should have proposed that that same sum, or a slightly larger one, should appear as the estimate of the yield from Import Duties in 1946-47 but taking into account the substantial loss of revenue from textile imports, which approximates I believe to some £300,000, I propose to recommend to the Select Committee on the Estimates that the estimate under Import Duties should be for £3,900,000, that is £50,000 more than appears in the Draft Estimates. The probable yield in the present year from the Excise Duty on cigarettes also justifies a larger estimate than that which is made in the Draft Estimates and £840,000 will be proposed in Select Committee.

Having regard to the uncertainties of the present position and to the heavy expenditure programme which faces the Government, the Government has not felt justified in proposing in connection with this Budget the reduction or the removal of the additions to Customs Duties which were made during the war. The time to consider such action will be when we are in a position to assess better than we can now the response of Customs revenue to changing conditions, changing and, I hope, improving conditions. It is, however, proposed for reasons not of general application to make an exception to this general policy by reducing the Import Duty on petrol. My Honourable Friend, the Acting Comptroller of Customs and Excise, has already explained this measure but I might add as the result of it and of other action Government has taken, it is hoped that petrol will be on sale during the coming quarter at a materially reduced price. The increase in the Export Duty on tin to 6s 8d a ton, which the Council will also be invited to approve during the course of this Meeting, cannot be regarded as an exception to the general policy: the increase is to provide a cess, agreed to by the Nigerian Chamber of Mines, which will constitute an agreed part of the contribution which Nigeria is making to the International Tin Research and Development Council for a programme of tin research.

A notable feature of Nigeria's fiscal system, as this has developed in recent years, is the increasing importance of Income Tax on individuals and companies as a source of revenue. The total revenue from Income Tax in 1940-41 was only £380,737; in 1944-45 an actual revenue of £1,370,714 was realized; the revised Estimates for the current year forecast a revenue of £2,400,000 and in the coming year it is hoped to obtain £2,620,000 — nearly ten times the amount obtained six years ago. These are remarkable

figures not to be accounted for solely by increased rates, war-time profits and improved legislation; the increase is in no small measure due to the more effective methods of collection introduced into West Africa by my Honourable Friend the Commissioner of Income Tax. The nets now cast into these rich waters are stronger and of finer mesh than they were in the past and the Commissioner and his staff are resolute and skilled fishermen. This tax is also of special interest in that it is drawn almost entirely from non-African sources and very largely from non-African commercial enterprise and this fact with the figures I have given may help to correct the facile assumptions of those who like to regard non-African trading activities as synonymous with "exploitation"; at least the community gets a golden return in Income Tax. Income Tax is indeed assuming a position in our tax system which threatens almost to rival the position of Customs revenue; together they constitute our two main fiscal props and, as their strength is for obvious reasons rooted in economic prosperity, the dependence, indeed the over-dependence, of this country on the prosperity of its export trade at once becomes evident.

Your Excellency has referred in the printed Address to the proposal to increase the rate of Income Tax on individuals by roughly 50 per cent in the coming year and also to the effect of the yield from Income Tax from certain new and favourable arrangements relating to double taxation which are to be introduced by His Majesty's Government in conformity with a convention entered into with the Government of the United States of America. My Honourable Friend, the Commissioner of Income Tax, has already explained these matters and I mention them now merely to draw the attention of the Council to the additional revenue of £550,000 which it is hoped to draw from these two sources in 1946-47.

A word on Native Direct Taxation. The estimate for 1946-47 provides £423,600 which is less by £292,400 than the revised figure of the current year. The figure is not, of course, the total sum collected as Direct Taxation from Africans outside the Township of Lagos; it is solely the sum which is retained by Government for Government purposes from that tax and represents possibly one-fifth of the total. The marked reduction in anticipated receipts in the coming year is not so serious as might at first sight appear; it is mainly due to the acceptance by the Native Authorities of the Northern and Western Provinces of responsibility for paying Cost of Living Allowance to their staffs. The Government allows the equivalent amount to be retained; hence the reduction in this revenue estimate, but there is an equivalent, or more or less equivalent, reduction in expenditure. Nevertheless, the gradual reduction from year to year of the Government share of Direct Tax is a matter to be noted with interest by this Council and, perhaps, from my point of view, with some concern; it is

only one of several pointers to the need for some revision of the arrangements which at present govern the financial relations between the central Government and the Native Authorities. This is a complex and difficult problem into which I have been asked by Your Excellency to look during my contemplated tour.

The great majority of the other Heads of Revenue show increases over the current year's approved Estimates. These increases arise from various causes explained either in the body of the Estimates or in the Memorandum on the Estimates and none of them are of such significance as to call for mention now. I would, however, briefly mention that I will ask the Select Committee to agree to the inclusion of a further non-recurrent item of revenue; during the course of the year a sum of approximately £110,000 will fall due for repayment to the Government; this represents the employer's contribution to the Provident Fund in respect of those officers who under the new superannuation arrangements have elected to withdraw from the Provident Fund and become pensionable. This will be a useful windfall. Similarly, since the sum of £50,000 was included in anticipation of a distribution of the West African Currency Board's profits, I have discovered that we are precluded by directions from the Secretary of State from regarding these profits as a regular item of revenue. I will, therefore, have to ask the Select Committee to agree to the deletion of that amount from the draft estimates of revenue; we can still entertain the hope that the West African Currency Board will be able to distribute profits as liberally as they did during the current year when we received £242,650.

Our present revenue position, like our present reserve position, is mainly favourable. Had it not been so a very different Budget would be before this Council. We have, so far as I know, no reason to suppose that the present sustained demand for Nigeria's export produce will slacken in the near future. As long as that demand is maintained the buoyancy of our revenue is reasonably assured. A great programme of expenditure, of course, demands great revenues and the Government cannot afford to forego any material portion of its revenues until the effect of the transition from war to peace can be more reliably judged. There have been extraordinary fluctuations in the Nigerian revenues from year to year. Going back again to the year 1927-28 in which Railway revenue and expenditure was removed from the Nigerian Estimates, I find that the peak figure of revenue before 1940-41 was reached in that year when the revenue was £6,304,636. The revenue dropped to its lowest figure of £4,857,612 in the year 1931-32 making a slow and uncertain recovery between the years 1934-37 only to fall suddenly again below the six million mark in 1938-39, since which year the progress has been sustained and the Estimates of revenue for 1946-47, exclusive of grants from the Parliamentary Vote for Development and Welfare are nearly double the peak figure for

the thirteen years preceding the period of war time recovery. This is satisfactory, indeed immensely satisfactory, but it is not a matter for excessive elation. A great country like Nigeria with a population of over 22,000,000 people should produce a much larger revenue than this and indeed unless we manage to do so in the coming years our progress will be slower than we like to think.

There is one satisfactory feature of our revenue position which a glance at the financial statement at the beginning of the Estimates will make clear. Ordinary revenue, that is the revenue from which items not of a regular type have been excluded, materially exceeds recurrent expenditure, that is expenditure which represents inescapable and regular commitments not easily reducible except under the stress of great urgency, but our satisfaction at that feature should be corrected by recognizing the fact that the ordinary revenue in question includes Customs Duties and Income Tax, both sources of revenue which are bound to dwindle in times of economic drought.

My remarks on expenditure can be brief. There are several reasons for this. Honourable Members are already conversant with the main lines of Government's expenditure policy. That policy finds its main expression in the second part of the expenditure Estimates relating to the 1946-47 instalment of the Ten Year Plan. Such further explanation as may be required in regard to that part of the Estimates will be given by my Honourable Friend the Development Secretary. I have no doubt also that the Honourable Members opposite in their speeches will raise many points relative to expenditure and that the Honourable Members who speak on behalf of the Government will not only deal with these points but refer to the more striking features in the fields of expenditure for which they themselves will be responsible in the coming year.

At one time the hope was entertained that comparatively small increases would be necessary in 1946-47 under the expenditure schedules in Part I of the Estimates but this hope has not been fully realized, although I am hopeful that in the years to come these schedules will remain, within limits, more or less static, and that Part II of the Estimates will very largely assume the burden which in the pre-planning era was borne by Special and Extraordinary expenditure. This must certainly be our aim since our resources are not sufficient for an advance on two fronts — the planning front and the non-planning front. This year, however, it has been necessary for the Government to recognize the necessity which Departments are under of bringing their establishments up to strength and their equipment up to date. It has also been necessary to make provision for increases in staff in anticipation of impending constitutional changes and to provide in certain Departments for considerable increases required as a result of the intended large expansion of Development expenditure.

There are two further points to which I would like briefly to refer. The first is the new feature of the Estimates by which, as an appendix to each departmental schedule, are given explanatory details of Sub-heads. The purpose of this is to give Honourable Members and others interested fuller information as to the purposes of expenditure than can be given by the brief designations of votes. These explanatory details do not necessarily bind Departments to confine their expenditure on any particular purpose as detailed therein to the sum noted as set aside for that purpose; the details are given for information and do not possess any binding financial effect. I think, however, that Honourable Members will find them useful, particularly during their scrutiny of the Estimates in Select Committee. The other point relates to the form in which the Estimates for Public Works Extraordinary are presented. Honourable Members will appreciate that the task falling on the Director of Public Works will far exceed the bounds set by the Public Works Extraordinary programme since his Department will also have an immense amount of work to execute under the Development Plan. An assessment has been made of the executive and spending capacity of the Public Works Department during the coming year and it has been assessed that having regard to its other commitments, the Department cannot undertake work costing more than £780,000 under Public Works Extraordinary. Since works in progress are estimated to cost during the coming year £611,100 we are faced with the somewhat extraordinary position that there is only a sum of £168,900 left for new works under this schedule. Since this amount is almost derisory in comparison with the immense programme of new works calling for attention, the amount in question has been assigned to a vote under Public Works Extraordinary called "Works selected from Schedule (Appendix T)" and in Appendix T there is a list of works approved to be undertaken as financial and executive capacity will allow. This arrangement is advantageous in a number of ways. It will enable the Director of Public Works to select the works to be undertaken with reference to the disposition of staff and equipment; it avoids the artificial inflation of expenditure which results if a large margin beyond that which the Department can reasonably be expected to complete is allowed; it will enable the Government to give full consideration in the course of the year to each item as it comes forward, with due reference to competing claims.

A review of Nigeria's financial position would be incomplete if no reference were made to Native Authority finance. Native Authorities in Nigeria are not local government bodies in the accepted Western sense of the term in that their powers of rating are not strictly defined by statute. The principal revenue of the Native Authorities is derived from the Direct Tax collected under Nigerian legislation and the objects of expenditure are not in general subject

to statutory limitation. Thus, for anyone endeavouring to obtain a true picture of Nigerian financial resources and how those resources are spent, a study not only of the Nigerian Estimates and the Railway Estimates but also of the Native Authorities Estimates would be necessary. It may, therefore, be of interest to the Council to know that the total revenues of the Native Authorities as represented by the Estimates for 1945-46 amount to roughly £2,831,000. At the close of the same year the Native Authorities should be in possession of surplus balances amounting to about £3,619,000.

There are many important financial problems calling for attention during the coming years and it may be of interest to the Council to take note of some of these. Perhaps the most urgent is the adaptation of financial procedure to the requirements of the new constitution, a matter of some complexity which is receiving attention. There is also a great need for strengthening the financial organization throughout Nigeria with the particular object of ensuring a much more effective control of expenditure by Government and Departmental Head Offices than exists at present. Your Excellency's printed Address touched on this point and emphasized the great importance which Your Excellency attaches to a return to more orthodox methods after the unavoidable relaxation of procedure during the war. I have already referred to the need for a closer definition of the policy governing the financial relations of the central Government and the Native Authorities. Then again, as I hinted earlier, there is a need to consider the taxation system, particularly the Customs tariff, so as to ensure as far as possible that short term revenue considerations do not weigh the scales unduly against productive enterprise which in the last resort is the source of the country's revenue. There is also the problem presented by Nigeria's public debt, which has three aspects: the policy to be followed for partly redeeming and partly re-financing the heavy interest-bearing Loans which mature for optional redemption in the years immediately ahead: the raising, as required, of Development Loan monies: and the general question of the public debt in relation to the overall financial position. Your Excellency has directed that these problems should be examined. If satisfactory solutions can be found to them, the Nigerian financial system will be greatly improved.

One final point: I have referred from time to time to the dependence of Nigerian finances on the prosperity of its export trade; how far that dependence will be reduced as a result of the implementation of the Ten Year Plan I cannot say but it is clear that the even progress of Nigeria over the road which has been mapped out must depend in the modern world on the collective wisdom of the world, on the ability of the United Nations Organization, its Economic and Social Council, and related bodies,

be accomplished. Nevertheless, although we have had a very small recruitment of staff for Development, the Departments concerned and the Administrative Officers have made an extraordinary good showing, and as I say although we shall not come up to expectations in our expenditure for that year and therefore there will be an overflow of the proposed work from 1945-46 into 1946-47 there has nevertheless been really a most creditable amount of work accomplished considering that there has been no serious reinforcement of staff, and in many cases Departments have been working with a complement far below their normal establishment. In particular I would like to mention the work which has been done by the Public Works Department where a very appreciable amount of road development has been carried out and a certain amount of building work has been accomplished in spite of staff being far below its normal establishment and in spite of it being under extreme pressure during the whole year for other works. I think that Department should be congratulated.

The details in connection with Development Estimates I propose to leave so that they may be dealt with in Select Committee. I would mention however that the main amendments which I propose to ask for in Select Committee will amount to about £6,000 under Head 46, £74,000 under Head 47 and a sum of the order of £100,000 under Appendix I. That will mean that the total for Development work of money asked for will be slightly over three million pounds. Whether we shall accomplish all that remains to be seen, a lot of it represents the purchase of equipment and vessels. I am hoping that with improved delivery of supplies and with improved recruitment now that demobilisation has reached a more advanced stage, we shall come as close as possible to this total in our actual expenditure.

Sir, I beg to second.

Bill read a first time.

The Hon. the Attorney-General :

Your Excellency, I rise to give notice that the second reading of all these Bills which have been read a first time today, and in respect of which no specific notice has been given, will be moved at a later date of this meeting.

His Excellency :

As that concludes the business of the day Honourable Members will be free from sitting this afternoon, and Council will adjourn until 10 a.m. tomorrow.

Council adjourned at 12.45 p.m.

APPENDIX TO FIRST DAY'S PROCEEDINGS

ADDRESS BY HIS EXCELLENCY THE GOVERNOR

HONOURABLE MEMBERS,

My third Annual Address is also my first peace time Address and I have endeavoured to make it a comprehensive review of the past year's work. Looking back, we entered on the year 1945-46 with high hopes of Victory and we have not been disappointed; looking forward to the year 1946-47 we have equally high hopes of Peace and all that Peace may mean and bring. It rests with ourselves to coin those hopes into the currency of health and wealth and happiness. A study of the Budget, which you are asked to approve, will show the intentions of Government—intentions which can only become accomplished facts if the goodwill and the co-operation of all classes of the Nigerian community is behind them. I now begin by dealing with our financial position.

Finance

When I addressed the Legislative Council on the 10th December last, I referred, in speaking of financial matters, to the greatly strengthened reserve position which had resulted from wartime budgetary surpluses, the intention to use a portion of these surpluses for financing loan expenditure pending reimbursement from the Development Loan to be raised in 1948 or 1949, the necessity during the interim period of presenting and achieving balanced budgets, and the circumstances in which some additional taxation is held to be necessary. I am glad to say that the hope which I then expressed that the reserve position would be further moderately strengthened as a result of the current year's working will be realized. The estimated surplus for the current year as stated in the printed draft Estimates is £573,877 but it may be possible to substitute a rather higher figure when the eleventh-hour review of the progress of expenditure has been completed. (I take this opportunity of mentioning that where I refer to estimated figures in this address I use the figures given in the draft Estimates as printed though these will be subject to some change as a result of proposals which will be made by the Government in the Select Committee on the Estimates.) This result, though in itself satisfactory, is surprising if account is taken of the fact that during the year £1,420,777 had been voted as supplementary provision ("new money") up to the end of February last. Although this very large additional sum has been voted, it is unlikely that the original estimate of expenditure will be exceeded by more than some two or three hundred thousand pounds. A large under-expenditure was, in fact, foreseen under Public Works Extraordinary when the 1945 Estimates were presented, but the fact that there has been such vast under-expenditure under the original and supplementary Estimates taken as a whole is a reflection of the

sanguine spirit, natural enough with the approach and final advent of victory, in which the Estimates of Expenditure were conceived. The severe limiting difficulties created by war do not, however, vanish with the laying down of arms and neither staff nor equipment has come forward in the measure which was hoped. Mainly, however, the satisfactory result of the current year's working is to be attributed to the fact that the original Estimates of Revenue will be exceeded by well over one million pounds. Income Tax contributes some £850,000 to this excess and Nigeria's share of the West African Currency Board's profits (£242,650) has also helped materially. Many additional charges for which no or insufficient provision was made in the Estimates have been met. Of special interest in that connection is the vote of £187,900 taken late in the year in order to clear certain outstanding accounts relating to the purchase of foodstuffs and the subsidization of food prices and also the vote taken to cover the cost of the 20 per cent increase in the cost of living allowance, the actual expenditure from which is not calculable.

It is not proposed to ask this Council to approve appropriations either to the Reserve Fund or the Supplementary Sinking Fund of the large surplus finally achieved in 1944-45 (£1,312,157, excluding the sum of £500,000 appropriated in March, 1945 to the Reserve Fund) and the smaller, but still substantial, surplus which is likely to be realized at the end of the current financial year. Although a policy of maximum investment is being followed to ensure maximum revenue from interest, it is deemed advisable to maintain a large unappropriated General Revenue Balance so that loan expenditure may be financed, as far as possible, without the formalities of release from special funds during the interim period which must elapse before the large Development Loan is raised. I will refer later to the measures which are proposed for raising loan funds in Nigeria.

To turn now to the budget for 1946-47, which is the main business of this Meeting of Council. The Estimates provide for a surplus of £304,710 as follows:—

			£
Estimated Revenue	...	...	13,395,010
Estimated Expenditure	...	...	13,090,300
			<hr/>
Estimated Surplus	...	...	£304,710

Honourable Members have had in their hands for nearly six weeks the draft Estimates of Revenue and Expenditure together with a full explanatory Memorandum. You have also had full opportunities of studying the Ten-Year Plan of Development and Welfare with which this budget is closely linked. It will not have escaped notice that, even if the estimated expenditure and revenue (£1,373,340) in respect of Approved Schemes of Colonial Develop-

ment and Welfare, which revenue and expenditure must, of course, be exactly equal, are excluded, both the Estimates of Expenditure and Revenue constitute a Nigerian record. In the last financial year, 1944-45, for which complete accounts are available, the actual Government expenditure (excluding, of course, the appropriation of £500,000 to Reserve) from all sources including Development and Welfare grants by His Majesty's Government and loan funds totalled £9,635,720; if all goes according to plan in 1946-47 the Government expenditure from all sources will be £14,623,750. In short, the Government plans to spend in 1946-47 half as much again as was actually expended in 1944-45 and nearly a quarter as much again as is likely to be spent in the current financial year. These facts and figures merely serve to illustrate vividly the nature of the policy of bold expansion on which the Government, with the full approval of this Council, has now embarked and the fact that in the coming year Development passes definitely from its preliminary and preparatory phase into the phase of full-scale execution of an approved Plan.

In accordance with the accepted policy that, for the next two or three years at any rate, the budgets must be balanced, a balanced budget is presented to you in 1946-47; indeed, the Estimates forecast a small surplus of £304,710, small that is in relation to the total estimated revenue and expenditure and small also in relation to certain contingencies for which it is not yet possible to provide. I cannot, of course, foretell what the results will be of the deliberations of the recent Commission on cost of living allowance or of the enquiry shortly to be conducted by the Commission appointed to go into the question of the salaries of established staff, but it seems unlikely that these results will be negative. It may, therefore, be necessary to ask the Council in the course of the coming financial year to make provision to meet requirements resulting from the work of these bodies. Whether in that event a balanced budget will, in fact, be achieved is a matter for speculation, but two circumstances embolden me to think that this is at least not improbable. Shortage of manpower, equipment and materials still continue to be a restrictive factor and it may be that in 1946-47 the Estimates of Expenditure have, as in the current year, been framed without sufficient regard to this factor. It may also well be, as in the past year, that the Estimates of Revenue, particularly from Customs Duties and Income Tax, will be materially exceeded. There is, however, one important consideration arising from this general review of the position to which I particularly invite the attention of Heads of Departments as a matter of first importance. Now that the war is over, now that the Estimates are prepared for the achievement of purposes which will tax to the full the energy and capacity of the entire Government organization, it is essential to revert to the fundamental principle that the annual Estimates must be regarded as fixing and delimit-

ing the objects and amounts of Government expenditure and that applications for supplementary provision will only receive favourable consideration by the Government if they answer the orthodox test of unavoidable and unforeseeable necessity. I shall, therefore, look forward in the coming year to a very great reduction in the number of Special Warrants which are submitted for my signature. I need hardly add that this necessary object can only be achieved if the wartime habit of regarding the submission of supplementary Estimates as a normal and not a quite exceptional expedient is abandoned and if a resolute effort is made throughout all the departments of Government to ensure a more effective control of expenditure than exists at present. If what is planned in these Estimates is accomplished, it will be much; progress towards accomplishment should proceed along the lines laid down, the beguilement of by-paths and after-thoughts being firmly resisted.

I desire to draw the attention of the Council to certain aspects of the Estimates of Revenue. It is a fortunate circumstance that during these last few years revenue should have kept pace with and even overtaken rapidly progressing expenditure. The Revenue Estimates for the coming year have been prepared in a spirit of cautious confidence. It has been considered justifiable to budget for increases over the current year's Estimates under the majority of Heads of Revenue but it should be noted at once that expenditure on the scale contemplated could not have been considered but for the sum of £2,620,000 which it is hoped to secure from Income Tax on Companies and Individuals, which exceeds by £1,070,000 the approved original estimate for the current year. This estimate is based on two assumptions:—

- (a) that the Bill to amend the Income Tax Ordinance which the Council will consider during this meeting will become law, and
- (b) that the provisions of the treaty which His Majesty's Government made with the United States of America on the subject of double taxation will be applied to Nigeria in common with the rest of the Colonial Empire.

I have no doubt that both are safe assumptions, but it is proper to mention that final directions have not yet been received regarding the latter and that the amending Bill makes no provision for the changes in the local Income Tax Law which will be required when final directions are received. It follows that at a later meeting in this Session the Council will almost certainly be asked to consider a further amending Bill. The effect of applying to Nigeria the principles of the Treaty with the United States of America coupled with the increase in the rate of Companies Tax from 5s to 7s 6d will be to produce additional revenue in the order of £425,000. Of less financial importance, though of more general interest, since

this will affect the pockets of all individual Income Tax payers, is the expected additional yield of £125,000 from Income Tax on individuals. The proposal, embodied in the Bill, is to make a 50 per cent surcharge on the amounts for which at present individuals taxed on the Second Schedule are liable, though some relief is afforded in respect of children's allowances. A moderate increase, not by any means 50 per cent in the lower income groups, is also proposed for those who pay tax under the First Schedule; these are, broadly, the Africans not paying under the Second Schedule who live within the Township of Lagos; it is proper that the rates of tax should be moderately increased for these taxpayers since throughout Nigeria in the last two years the rates of and the yield from Direct Tax have been generally and materially increased. I trust that the Council will accept these proposals as reasonable, moderate and inevitable. The main burden of individuals' Income Tax under the Income Tax Ordinance, of course, falls on the non-African community, but the major contribution is not made, as is sometimes erroneously supposed, by the members of that community employed under Government. Although that burden has been materially increased during the war years, its weight has never even remotely approximated to that which the people of the United Kingdom have accepted as a matter of course and as part of the inevitable price of victory, nor will such approximation be achieved by the measures now in contemplation. The increase in the rates of Income Tax for individuals now proposed, to be followed in 1947-48 by an approximately equal increase, constitute, however, a recognition of the need to bring Nigeria's rate of Income Tax more into line with that obtaining in other parts of the Empire and, still more, the need to contribute more directly and materially than at present to the demands of Development in Nigeria to which the heavily-taxed citizens of the United Kingdom are to make a material contribution. It is no longer apposite in this difficult and devastated post-war world to think in terms of the old pre-war standards of living.

It may seem ironical after the foregoing reference to increased taxation to turn to the question, which doubtless has occurred to Honourable Members as to others, whether, now that the war is over, the time has come to reduce or remove all or any of the additional taxes imposed during the war. Now it is patent from what I have just said that I hold that the rates of Income Tax introduced during the war should not only be maintained but moderately increased. It will naturally be asked whether the same considerations apply to Customs Duties and the answer is in my view, broadly, that the same considerations do not apply; Customs Duties can properly be reviewed with sole reference to economic and revenue considerations. I have, in fact, given careful consideration to the question whether some remission of the additions to Customs Duties made during the war might prudently be made now

but, with one exception to be referred to later, where the considerations are almost entirely economic, I have decided that it would be premature to lower the Customs tariff at this stage. With some dubiety the Customs and Excise revenue has been estimated at a figure of £191,000 in excess of the estimate for the current year. This is no more than a guess which recognizes the probability of an increased volume of imports and an increased consumption of locally manufactured cigarettes, but which also takes account of the troubled state of the world and the gradualness of reconversion to peace-time production and exports in the countries lately at war, particularly the United Kingdom. I hope sincerely that the estimate may be proved by events to have been far too conservative. If that should happen, if receipts from Customs and Excise should assume a volume materially exceeding present expectations, I intend that the wartime increases should be reviewed with a due balancing of revenue considerations against the desirability of reducing, if possible, the cost of imported commodities in common use and of stimulating local productive enterprise. The problem is not, however, simple; reduced prices on importation might be of small public service as long as spending pressure remains abnormal; nor should it be forgotten that the supply position of certain commodities such as textiles is worse, not better, than it was during the war years.

I referred earlier to one exception to the general policy of leaving the Customs tariff alone for the present. The Council will be invited to pass a resolution reducing the Import Duty on petrol from 10d plus 25 per cent surcharge to 8d plus 25 per cent surcharge, a net reduction of 2½d. No loss of revenue is anticipated; petrol imports will, it is believed, offset the loss which would otherwise result; and it is hoped by this change to serve general economic interests by lowering the costs of motor transportation.

Of the Estimates of Expenditure, I need say little. With the main underlying principles of present budgetary policy, the Council is already familiar and the details of the new services and works for which provision is made are covered in the Memorandum on the draft Estimates and the Ten-Year Plan for Development and Welfare. The whole subject will also be traversed in official speeches during the debate. There are, however, three points on which I will touch briefly.

As for the current year, the Estimates are divided into two parts, the first containing the normal schedules, departmental and otherwise, and the second the schedules (including Development Loan expenditure) which embody the 1946-47 instalment of the Ten-Year Plan. Nevertheless, the two parts of the Estimates, to be properly understood as a reflection of the Government's spending policy, must be considered together as both parts are interlocked and interdependent. The departmental schedules provide the central

and nuclear organization for the implementation of the Plan and as such their scope and substance are materially affected by the activities for which provision is made in the Development and Welfare schedules. A new Head of the Estimates has been opened to cover the complex of official activities relating to the resettlement of ex-servicemen in civil life. Both the scope of these activities and their intrinsic importance justifies this. Of special interest under this Head is the provision of a substantial sum to enable Departments to employ ex-servicemen as supernumeraries. I have deemed it advisable to direct that steps should be taken, in view of the large impending expansion of Government electrical undertakings, to separate the direction of those undertakings from the Public Works Department, which is itself about to assume vastly increased responsibilities. The appearance in the Estimates of Electricity as a separate Head unassociated with the Public Works Department represents the first step in that direction.

Council will be invited at this meeting to consider two related Bills; the first is a general Bill under the provisions of which authorized loans may from time to time be raised locally; the second will enable the sum of one million pounds to be raised in Nigeria, under the provisions of the first Bill, for purposes in connection with the Ten-Year Plan of Development and Welfare for Nigeria and other approved development purposes. I have every reason to believe these measures will commend themselves to the Council and if they are duly passed it is my hope that arrangements will be completed within the next three or four months which will enable the public of Nigeria for the first time in Nigeria's history to invest in a locally raised Government loan. The occasion will be significant and the response will be watched with much interest. I cannot, of course, at this stage give details of the amount of the first instalment of the loan nor of the terms on which it will be raised. When these matters are settled due notice and full publicity will, of course, be given.

The financial measures contemplated for 1946-47 taken as a whole constitute an act of reasoned faith in Nigeria's future. It is natural that some doubts and fears should exist as to the financial capacity of Nigeria to carry out the full intentions of Government. It would, of course, be rash to assume that all will turn out exactly as planned or that we shall move forward to our objectives without interruption across easy and open country, but to move forward with these great objectives in view is clearly right; and it is indeed the only alternative to a state of apprehensive and unfruitful immobility. The present financial conditions are favourable; the immediate future, though not in all respects predictable, justifies a reasonable hope that Nigerian revenues will remain buoyant; if a concerted drive forward is made now we may gain strong vantage points which will strengthen our position when more difficult financial conditions must be encountered.

Northern Provinces

All Native Authorities of the Northern Provinces have continued their unswerving loyalty and the outstanding feature of the year has been the general rejoicing for final victory over both Germans and Japanese. Since victory, attention has been concentrated more than ever on development plans though the continued shortage of Administrative Officers is still acute. The keenness, indeed anxiety, of Northern Chiefs for the progress of their administrations was clearly evident from the lively way in which these matters were discussed at their annual conference. We have indeed a willing spirit: it is hoped that the necessary assistance in the way of staff will be forthcoming.

Groundnuts.—The price has remained unchanged at 130 per cent above the pre-war figure. The 1944-45 harvest produced 227,546 tons, and it is expected that the 1945-46 crop will amount to some 250,000 tons.

Rice.—4,515 tons were requisitioned out of an estimated total crop of 30,000 tons. Supply is far short of demand and the black-market price rose in some areas to £40 a ton: Northern Provinces rice requisitioned for export to Southern Provinces was bought at an average price of about £12 a ton.

Corn.—23,103 tons of guinea-corn and millet were successfully requisitioned for the Minesfield, Army and Lagos from the 1944-45 harvest. Requisitions for 1945-46 have been increased to 28,000 tons: the price is now 100 per cent above pre-war figure. A Government reserve of grain is being established and the necessary grain stores are being erected.

Food Supplies in general have been satisfactory except in Benue Province: the yam harvest in Kabba and Ilorin Provinces has been slightly under average.

Tin.—Notice of the termination of the contract between the Ministry of Supply and tin-producers caused output to fall off somewhat: applications for mining titles continue at a high level.

General Tax collection in the Northern Provinces showed an overall increase of 32.8 per cent between 1938-39 and 1944-45. The assessments for 1945-46 show further increases amounting in some cases to as much as 25 per cent of the 1944-45 rates.

Progress has been made in the widening of the membership of Emirs' and Chiefs' Councils to ensure the representation of educated and younger men on these bodies. The death of the former Ata Gala has provided an opportunity for the overhaul of the Native Administration of Igala Division in Kabba Province and for the removal of its headquarters from Idah to Ataneguma.

Ordinance No. 29 of 1945 has set up the Gaskiya Corporation to manage the Northern Provinces Hausa Newspaper *Gaskiya ta fi Kwabo*,

Considerable further progress has been made with female education in Moslem areas. The first Government scholarships to British Universities were awarded to four Africans of the Northern Provinces: they went to the United Kingdom by air in October. It is hoped that the Northern Provinces Trade School at Kaduna and Native Authority Clerical Training School at Zaria will be opened early in the coming financial year: plans for the reorganization of the Northern Provinces Law School, or School for Arabic Studies as it will in future be called, are also under consideration. The year has seen the establishment of the first radio diffusion services in the Northern Provinces. The Emirs of Bauchi, Biu and Gumel have been on educational tours to Lagos and the Southern Provinces.

Plans, especially for rural development, are in hand but their implementation on a large scale awaits the provision of staff and materials: the delivery of much-needed materials was seriously held up by the strike. Progress, however, is already being made with well-sinking and model settlements for which Native Administration Reserve funds are being utilized. One of the major problems that will require solution in the course of the development of the Northern Provinces is the rehabilitation of the degenerate soils of the Plateau Province: investigation into the economic position of the Birom tribe and a pioneer land-conservation scheme at Gyel have been begun. A Town-Planning Officer has been posted to Kano to consider a comprehensive plan for Kano City Township and environs. Work on the Yola-Wukari trunk road which will be of immense benefit to Adamawa Province has been put in hand. A new hospital at Offa was opened in December.

Demobilization is proceeding satisfactorily and readiness to return to the land is being shown: special wards for disabled soldiers have been built as adjuncts to the main hospitals of the Northern Provinces. The U.S.A.A.F. was withdrawn from Kano and Maiduguri soon after the cessation of hostilities.

Some Provinces were not affected at all by the strike and, in general, only those Native Administration employees who had been recruited from outside the Northern Provinces went on strike.

An unfortunate clash between Hausas and Ibos occurred at Jos on the 8th October: it reflected the hostility between Hausas and Ibos. The fracas might have assumed serious proportions but for prompt police action.

The Railway bridge at Mile 455 on the Western line was washed out on the 15th September and a passing train plunged into the river: the guard lost his life. An important bridge on the Kontagora-Sokoto Road was also washed out by these extremely heavy rains.

Captain Thompstone and four Native Administration representatives left Maiduguri for Khartoum on the 8th December

by air to investigate the problem of destitute pilgrims in the Sudan and Jedda.

During the year Messrs J. J. Emberton, D. M. H. Beck and R. D. Ross have retired.

A number of Administrative Officers who have seen active service during the war with His Majesty's Forces have now resumed their civil duties.

Several important African personages died during the year: the Ata Gala, the Emir of Lafiagi, the Chief of Dabai, the Waziri of Kaiama and the Chief Alkali of Bida.

Western Provinces

Mr Asifo Egbe of Warri, Magistrate, died on the 3rd October, 1945, after a short illness. He had represented the Warri Division for a number of years on the Legislative Council before he was appointed Magistrate in September, 1942, a post which he held until his death. In Mr Egbe Nigeria has lost a zealous officer and a true patriot.

The past year has seen some important changes in the political organization of the Western Provinces. It is hoped that they will lead to wider representation of the people in the counsels of the Native Authorities and to an increase in their sense of responsibility. At Benin the Native Authority Council and at Ijebu Ode the Advisory Council have been established on a broader basis giving adequate representation to the outlying villages. Town Councils are being constituted as subordinate Native Authorities to manage the affairs of Benin City and Ijebu Ode town. In Ilaro Division plans are far advanced for the federation of the four northern Native Authorities of Meko, Aiyetoro, Olori-Ketu and Iboro and for the establishment of a federal treasury and a federal Court of Appeal. In Ekiti, too, satisfactory progress is being made towards a real federation, the one outstanding difficulty being the intransigent attitude of the people of Aḍo.

A big effort is being made to ensure that the wealthier classes of the community bear their full share of direct taxation. In the past the main burden of this has fallen on the poorer classes and the wealthy have not, in the majority of cases fulfilled their proper obligations. Assessment Committees set up a year or two ago in many places are making progress in securing detailed information regarding the incomes of the wealthier citizens, and in adjusting individual assessments accordingly.

As far as the Western Provinces were concerned the general strike was ineffective. This was very largely due to the loyalty and good sense of the Native Authorities and their employees. Three Provinces were entirely unaffected. In the other three Provinces the strike was confined to Railway workers and for varying periods to Posts and Telegraphs and Public Works Department employees in three of the larger centres,

Visit of Emirs of Bida and Kontagora.—The Chief Commissioner and the Chiefs of the Western Provinces were pleased to welcome the Emirs of Bida and Kontagora at the Chiefs Conference held at the beginning of August.

During the year I presented insignia of a C.M.G. to the Alake of Abeokuta and of a C.B.E. to the Awujale of Ijebu Ode; conferred upon them in recognition of their services to their people and to Nigeria.

Nearly all the principal native foodstuffs have suffered from exceptionally bad climatic conditions during the year. It was found difficult, and in some cases impossible, to provide commodities such as Gari from Ijebu Province, and Rice and Maize from Abeokuta, for the Lagos Marketing Scheme. The situation in the Ijebu Province became such that it was found advisable in August to decontrol the price of Gari and to abandon the system of production by quota. Army requirements to the end of the year were met, although sometimes with difficulty. The food situation in the Western Provinces in this early part of 1946 is likely to be more serious than in any previous season. Prices during the peak season of production at the end of 1945, when prices should have been low, were as high as in April. It seems certain that these conditions were caused mostly by the unfortunate coincidence of two bad farming seasons, but also by migration of labour to the towns.

There was a general decline in production throughout the Western Provinces during the year. Comparative figures show an over all decrease of 4 per cent as compared with the period January to October, 1944. Part of this decline is undoubtedly due to some diversion of labour to food crops and, again, to the migration of labourers to urban areas in search of wage-earning occupations. The full effect of this diversion and migration will not unfortunately be apparent until late in 1946.

The 1944-45 main cocoa crop season was only average and there was little indication that the improved price had led to any extensive attempt to clean plantations, or eliminate the Black Pod disease. The 1945-46 main crop has been late and, in spite of threats of a hold-up, buying is now in full swing and there are indications that the tonnages purchased will be considerably higher than last year. The quality of the crop is good and some of the effects of the increased price, which now include a further increase of £4 10s made at the beginning of the present season, are observed in the improved condition of the plantations.

The production of plantation Rubber shows an increase on the 1944 figures. There are indications however that very little new planting is taking place, partly as a result of propaganda by the Native Authorities to discourage excessive planting of a crop which may not be remunerative when the trees come into full bearing, and partly because the relative prices of food crops and export rubber have here again diverted some labour to the farms,

An Area Resettlement Officer was posted to Ibadan in October and nineteen ex-servicemen's registration centres were opened in the Western Provinces during the year: all registration clerks and other staff employed are ex-servicemen. At the end of October, 2,035 ex-servicemen had registered for employment and of these 400 had found employment. By the end of November the majority of employers had registered under the Ex-servicemen Ordinance and quotas had been allocated to them: it is hoped that these quotas will absorb at least another 2,000 men. Plans for further absorption apart from quotas are under active consideration.

During the year the shortage of staff became even more acute than in previous years. Administrative duties have increased considerably and long tours and overwork are taking their toll in increased invalidings. At the end of the year there were thirty-four officers available for fifty-six pre-war duty posts.

Eastern Provinces

The tonnages of palm oil and kernels offered for export in 1945 have shown a disappointing decrease. This decrease was probably due to the abnormal lateness of the rains resulting in a poor fruiting season rather than to a relaxation of effort on the part of the producer. At the beginning of November the team of officers overseeing and organizing the oil palm production drive was disbanded.

The unusually long dry season and the consequent delay in planting food crops aroused anxiety that there might be severe scarcity in 1946. The position is still uncertain in the more northerly districts but there is no cause for alarm near the coast.

In April the dock workers employed at Port Harcourt by Messrs Elder Dempster Lines, Limited, went on strike, but, on being assured that their conditions of service would be investigated, resumed work in less than a week.

An industrial dispute in the Cameroons Province between the Custodian of Enemy Property and the Plantation labourers led to a strike accompanied by disturbances which lasted for three weeks in July and August. This strike was in some measure due to dissatisfaction with the varying rates of pay in the different plantations. The dispute was eventually settled by agreement between the employees and the Custodian on revised conditions of service.

In August 1943 the Colliery Unions at Enugu presented to Government a petition making large demands. These demands were made in spite of the fact that the output per man shift had shown a considerable decrease since 1938 when the system of payment by results alone had been discontinued. In an attempt to settle the threatened dispute the Colliery Manager proposed two systems of working which would benefit the industrious employee and reduce the earnings of the lazy one. Neither was acceptable to the Unions

who declared a trade dispute. The Commissioner of Labour being unable to settle the dispute by conciliation, the Governor, in accordance with law, referred it to arbitration.

In January 1945 the Arbitrator's Award was published and was to come into force from the 1st April. The Unions agreed to a proposal of the Colliery Manager that before that date the Award conditions should be tried out in one district to gain experience of the difficulties of time-keeping entailed. Meanwhile the Government instructed that every workman should sign an agreement accepting the conditions of the Award. Any workman refusing was to be regarded as having resigned. With very few exceptions all refused to sign and instructions were issued for new labour to be recruited. When recruitment began in the Owerri, Okigwi and Udi Divisions the men decided to return to work and the dispute came to an end.

In view of the fact that the Colliery Unions obviously did not represent the interests of the worker, Government withdrew recognition from the Unions and instructed that all negotiations should be conducted with a Committee of Representatives of the workmen. This Committee was elected by a secret ballot supervised by the Industrial Relations Officer (Mr P. H. Cook) and as a result of its negotiations with the Colliery Management a modification of the Arbitrator's Award was accepted by the management and men. The terms of this agreement have since regulated the conditions of employment in the Colliery.

The general strike lasted from the 23rd June to the 9th August. The Ogoja Province was little affected while in the Calabar and Cameroons Provinces no strike occurred. In the Onitsha and Owerri Provinces the technical staff of the Railway, Public Works Department, Marine and Posts and Telegraphs came out. In Port Harcourt the dock labourers of Messrs Elder Dempster Lines, Limited, followed suit. During the period of the strike essential services were maintained by Europeans and volunteers assisted by military personnel.

Tax collection has been effected without incident. Throughout the Eastern Provinces attempts are being made to introduce more widespread collection of income tax through the medium of Assessment Committees. It is unlikely, however, that any appreciable increase in the Provincial totals of tax will result from these attempts in the immediate future. Assessment Committees, whose members are often themselves liable for income tax, tend to be over-lenient in assessing income-tax payers, and accordingly efforts are at present being directed more towards the acceptance of the principle of income tax payment than to attempts to obtain the maximum yield from it.

Jangali has been collected for the first time in the Obudu District of Ogoja Province on, approximately, 1,400 head of cattle grazing on the Grass Plateau.

There has been a comprehensive sleeping sickness survey of the whole Obudu District of the Ogoja Province during which a large majority of the population has been tested. Dispensaries have been established in areas where the greatest incidence exists. Dr McSorley, Medical Officer, Sleeping Sickness Service, has also carried out an extensive survey in the Oban area in the vicinity of the Bamenda-Cross River-Calabar Scheme. Here he was of the opinion that sleeping sickness either does not exist or is insignificant. Nevertheless certain preventive measures have been proposed.

In the Calabar, Ogoja, Onitsha and Owerri Provinces and in the Bamenda and Mamfe Divisions of the Cameroons Province Administrative Officers, with the active co-operation of the people, are engaged in a reform of the Native Courts. Their main endeavour is to reduce the large panels and massed benches created as a result of the reorganization subsequent to the Aba Riots in 1929. Considerable progress has been achieved in obtaining acceptance of the principle of the selection of the best man for the purpose, in many cases literates, as Native Court Members. The reduction of the size of the bench has had the effect of increasing the individual earnings, in sitting fees, of the members.

No progress has been made with the proposals for municipal reform in Calabar. In Port Harcourt the question of municipal government has roused interest and is being closely examined.

In the Udi Division the people continue to show enthusiasm for learning to read and write. Here the wide popularity of mass literacy has given rise to voluntary undertakings, such as the erection of village maternity homes, sub-dispensaries, co-operative consumers' shops and the construction of improved water supplies and feeder roads.

The end of the war was naturally celebrated more as a milestone on the road to better things than as an occasion for relief from strains of which the people could only be dimly conscious, but rejoicing was nevertheless widespread. Sympathy for those of other lands who had suffered was given tangible form in the generous contributions made voluntarily to the various war funds during the course of the war.

The Eastern Provinces present more than average difficulties in the re-absorption of ex-soldiers into civil life. There is the press of population creating a land shortage, in many cases in just those areas from which large numbers of recruits have been drawn. Industries are almost entirely lacking. It seems, therefore, that apart from some absorption into normal Government, Native Administration and commercial employment the best chances for employment will be in connection with development schemes or by the development of industries. These must depend to a large extent on staff, research and experiment and there must inevitably be a time-lag between demobilization and absorption. Dispersal centres have been established and every Divisional Headquarters made a Registration Centre.

Planning for post war development has received increased attention from the Area Development Committee and Provincial Committees which have held regular meetings during the year. Plans have been drawn up for the construction of feeder roads in the Eastern Provinces, for providing adequate telephone and radio-telephone communications; for the improvement of water supplies on a wide scale and for the provision of increased medical and educational facilities.

Work on the two trunk road projects of the Bamenda-Cross River-Calabar Development Scheme—one from Mamfe to Ikom and thence to Bansara to link the Cameroons with the Eastern Provinces and the rest of Nigeria, and the other from Mamfe to Calabar to provide a rapid outlet from the upper Cross River area—is proceeding with Colonial Development and Welfare funds, and an Administrative Officer has been posted to the special duty of investigating the subsidiary settlement and agricultural development projects. Investigations completed show that the best approach to the problems of settlement and agricultural development is to plan a land settlement scheme based on oil-palm cultivation, with Pioneer Mill processing, the area required to support such a Mill being taken as the unit project. The problem of resettlement from the over-populated areas is one of the most urgent, and possibly the most difficult, of the problems facing the administration in the Eastern Provinces and the present scheme can but be a prelude to more ambitious and extensive schemes. The estimated cost of the scheme from the Nigerian revenue is as follows:—

£			
1945-46	...	...	1,310
1946-47	...	...	17,650
Total ...			£18,960

The long awaited Ikom-Bansara main trunk road was commenced on the 8th January from near Bansara and by the 8th February motors and light lorries could proceed as far as Ikom, fifty miles.

The Ikot Ekpene Raffia Industry has made rapid progress. Membership of the Co-operative Society (which is confined to craftsmen) has doubled and the Society is now paying out £80 a week to workers. The articles produced—mats, bags, toys, etc., are of admirable quality.

The Fisheries Adviser to the Colonial Office (Mr C. F. Hickling) and the Fisheries Development Officer (Captain W. B. Dowson) visited the Creek areas of the Owerri and Calabar Provinces during the year.

In 1944 a grant of £3,100 was made from the Colonial Research Fund to the International African Institute to finance a survey of the social and economic position of women in the Cameroons Province in connection with general development and welfare schemes. The survey, which will deal particularly with the

Bamenda Division, has been undertaken by Dr Phyllis Kabbery, a social anthropologist, who arrived in the Cameroons early in 1945. Dr Kabbery is working in close touch with Administrative and technical Officers and the Institute of Arts, Industries and Social Science at Achimota. Dr Kabbery's studies have already aroused keen local interest.

Members of the staff of the Town Planning Adviser in Accra visited the following places in the Eastern Provinces and prepared plans: Port Harcourt; Enugu; Owerri; Victoria; Aba; Onitsha.

Mr Tetlow, member of the staff of the Town Planning Adviser also visited Calabar and Umuahia during the year.

The Eastern Provinces suffered a serious loss in February in the sudden death, while on tour, of Mr P. G. Harris, c.m.g., Senior Resident, Cameroons Province, of which province he had been in charge since the 19th August, 1943.

Colony

The end of the war was followed by a considerable decrease in Service personnel in Lagos which permitted the return to the public of most of the buildings requisitioned for Service departments, including those of two leading secondary schools. It has not been possible to remove many controls for which certain elements of the public clamoured with the cessation of hostilities.

As a result of a dispute between Government and some of its employees on the rate of cost of living allowances a strike of the African Civil Service Technical Workers Union occurred on the 22nd June and lasted until the 4th August. The maintenance of essential public utility services was gravely jeopardized and the Lagos public owed more than it realized in its well-being and comfort during the period to the assistance of the armed forces and to unpaid European volunteers. Although largely the instruments of politicians and in many cases ignorant of the issues at stake, the strikers on the whole behaved with reasonable restraint, but there were some cases of hooliganism in the local markets and one act of serious sabotage resulting in the derailment of a passenger train near Oshodi.

Arising largely out of the strike a Commission of Enquiry was appointed to study the question of cost of living to Government employees and to make recommendations.

Following persistent appeals by the Lagos public, all controls of the gari trade were removed on the 29th August. Supplies to local markets have been regularly and plentifully maintained, but retail prices have risen by about one-third over the formerly

controlled price and the fall in prices which occurred in the open markets during the season of plenty of the previous year did not occur.

The number of unemployed and persons not employed in gainful occupation remains high in Lagos and constitutes with the serious housing shortage, major problems.

Social Welfare in the Colony has been directed toward three main forms of activity: the care and supervision of delinquent and neglected children; the establishment and development of clubs for physical recreation and leisure-time activities for young people, and social case work on behalf of members of the armed forces. The appointment of additional staff both European and African, permits sound hopes for the expansion of existing services and the development of others.

The Colony Native Authorities continue to develop along satisfactory lines and the Native Courts have manifestly justified the granting to them of increased powers. The supervision and control of the Native Treasuries has been reviewed and the Financial Memoranda of the Northern Provinces have been accepted for application to the Colony.

Remarkable progress has been made in the extension of education and the formation of Divisional and Native Authority Area Education Committees has proved a particularly useful innovation.

The main demobilization centre for the Nigeria Area has been established at Ikeja. The regular arrival of large contingents of troops has attracted to the village the usual crowd of parasites, tricksters and others seeking gain from soldiers awaiting demobilization and transport to their homes. Although no serious incidents have been reported, precautions against disorder have been taken.

Lagos Town Council

In January, 1945, an election was held in "D" Ward (Ebute-Metta) to fill the vacancy caused by the death of the previous representative in December, 1944. Mr H. A. G. Thompson was elected unopposed.

In 1945 there were 1,111 voters registered for Municipal. The lack of interest in the franchise continues apparently as this latter number can only be one-sixth or less of the number who could claim to be put on the voters' list.

The Council's reorganization on Municipal lines — which is still being gradually effected — is working smoothly. The work of the Standing Committees is becoming more detailed and Councillors

are obtaining a greater insight into the affairs of the Council. The new Municipal Treasurer's Department is in being and the change over to a municipal accounting system is proceeding. This system will eventually enable the Council and the ratepayers to assess the cost to the rates of the various services and to know in detail how the revenue is spent.

While the programme of road reconstruction is proceeding the rate of progress has been retarded by the strike and lack of materials. New construction of roads and drains is, in the main, held up by lack of an approved Town Planning scheme, which also affects, to a great extent, any scheme for building modern markets.

The Council's finances are reasonably sound with reserve funds established for the replacement of the more important plant and machinery, and for general purposes. The revenue for 1946-47 is estimated at a little over £200,000; the highest in the Council's history, but it should be noted that about one-fifth of the revenue is needed to pay Cost of Living Allowances. The Township Rate will be at the rate of 3s 8d in £ over the whole year, and this with the Water Rate of 1s makes a total of 4s 8d. This figure compares very favourably with rates in other Municipalities and shows a willingness on the part of the ratepayers to meet their responsibilities.

Treasury

Accounting and statistics—in short “figures”—do not provide the same scope for a review possessing general interest as the work of a department, the activities of which closely touch the lives of the people. Nevertheless, accounting is as fundamental to the financial as the Medical Service is to the physical health of the Colony.

The Statement of Assets and Liabilities together with the comparative Statements of Revenue and Expenditure, as published each month in the *Gazette*, reflect the activities of all departments. Five years under war conditions during which many new duties of great complexity devolved upon the Treasury demonstrated that, however wide the ramifications of other departments, ultimately all their activities are reflected in the accounts of the Colony. Certain of these activities will disappear but they will be replaced under the Ten-Year Development Plan by others of greater scale and importance.

No review of the activities of the department would be complete without a reference to staff difficulties. Increased responsibilities and duties were accompanied by a steady deterioration in the staff situation throughout the years 1939-44. The situation has improved somewhat during the past twelve months but it still remains acute consequent upon the permanent invaliding of three officers during the period August 1945, to January 1946.

The necessity for up to date information on the accounts of the Colony for the purpose of framing financial policy is self-evident, but the staff situation has hindered all attempts to accelerate production. Proposals are under consideration for the complete re-organization of the department, which will enable such information to be provided in as short a period as the Colony's system of communications will permit.

During the year considerable progress has been made in clearance of arrears of essential supplementary accounting records. There has been increased recourse by technical and other departments to accounting advice, and also appreciation of the importance of comprehensive cost accounts and statistics in the development of experimental projects. The demand for assistance in this connection has far exceeded the department's ability to provide the requisite trained personnel.

A section has been organised to operate the accounts and records of Development Schemes and, in addition, to undertake the specialized accounting that is necessary for certain of those schemes. The importance of the preparation of costs and statistics by professional accountants is considered to be of great consequence to the Development Programme as a whole, and it is hoped to extend this section by the addition of staff possessing the requisite training and experience.

What is known in the Treasury as the Subsidiary Accounts Section deals with about 7,000 accounts made up of various items such as Motor and Bicycle advances, accounts of other Colonial Governments, accounts with the various Native Administrations, deposits from the Customs and the Law Courts, various War Charities and many others.

To compile these various accounts it is necessary to collect vouchers from the Crown Agents, Provincial Treasuries and the ninety-eight Treasuries, allocate them correctly and post each individual item into ledgers. The individual postings in a month frequently exceed 15,000. Under present conditions this task is performed by very junior subordinate staff as experienced trained staff is not available. Constant reconciliation and analysis of the subsidiary accounts is necessary, but here again the department is handicapped by a shortage of both European and experienced African staff. To remedy the position six African Government pensioners have been engaged on a temporary basis. Considerable progress has been made and it is hoped that arrears will be cleared and the accounts reconciled and balanced in the not distant future.

This branch of Treasury activities is given in some detail as the subsidiary accounts are, from time to time, made the subject of ill-informed criticism.

While staff improvements would alleviate the position, it is considered that the only effective cure is decentralization.

Pensions fall under three main heads—Colonial, Military, and Imperial. The total number at present being issued is 7,844 made up as follows:—

<i>Colonial:</i>	European	...	...	1,976	
	African	...	...	2,721	4,697
<i>Military:</i>	European	...	...	17	
	African	...	...	2,843	2,860
<i>Imperial:</i>	European	...	...	60	
	African	...	...	227	287
					<u>7,844</u>

Military Pensions for Africans are increasing rapidly at the rate of between 60 to 70 monthly.

There are at present approximately 21,000 holders of Nigerian Savings Certificates, who own some £474,000 worth of Certificates—an average of £22 per person. It is, however, a matter of regret that the total amount refunded during the months October to December 1945, was considerably in excess of the value of new Certificates sold, and that it has not been possible to remit any money to the United Kingdom since September 1945. This is due to the impression, which appears to be gaining ground, that the necessity for investment in Savings Certificates no longer exists now that hostilities have ceased.

Audit

In spite of an acute shortage of staff and the ever-increasing Programmes of Work, steady progress has been maintained throughout the year under review.

From time to time in past years questions have been raised in this Council and the Select Committee on the Estimates as to whether the Audit Department should not take over the audit of all Native Authority Accounts, and after discussing this matter with the Chief Commissioners Eastern and Western Provinces, the Commissioner of the Colony, and the Auditor, I have now decided that these audits should, as soon as the staff position admits, be taken over by the Colonial Audit Service.

The Auditor is already in charge of the audit of the Native Authority accounts in the Northern Provinces where he and his officers discharge considerably wider functions than are normally associated with audit. I should like to record here the valuable service they have rendered, and continue to render, as the advisers to the Native Authorities in the Northern Provinces on financial and accounting methods, as instructors of Native Authority staff in the keeping of the accounts, and as advisers of Government and the Provincial Administration in all matters connected with the

workings of the Native Treasuries. It is my desire that these benefits should be extended also to the Western and Eastern Provinces and the Colony as soon as possible.

The Auditor and his officers will have a very heavy programme of work ahead of them as the undertaking of these additional audits not only covers the audit of the Native Authorities' accounts but the whole of the Government outstations accounts as is the case in the Northern Provinces.

Inland Revenue

Further expansion of the department has continued during the year but has been hampered by the general difficulty of obtaining sufficient qualified staff, although towards the end of the year the vacancies for Assistant Commissioners were practically all filled. The Kano Branch Office has continued more than to justify its establishment and the opening of the Ibadan Office in September 1945, has further served to emphasise the scope which exists for the correct assessment and collection of Income Tax in Nigeria provided that sufficient trained and experienced senior staff can be made available. These circumstances have justified the department in submitting a comprehensive scheme for reorganization and strengthening of the staff, and although this project has not yet received the full consideration of Government certain of the initial steps have been approved and are reflected in the new establishment and titles in the departmental expenditure estimates. The personnel required will need to be highly qualified and specialized so that progress towards completion of this reorganization will necessarily have to wait upon the opportunities for proper recruiting outside Nigeria.

Difficulties of accommodation and staff have prevented the anticipated opening during this year of an Inland Revenue Office at Port Harcourt to deal with liabilities in the Eastern Provinces, but it is hoped that this desirable expansion will not now be much longer delayed.

Investigations into the back duty cases involving penalties have proceeded at all stations and it is anticipated that during the year a sum of £70,000 will have been collected from this source. Nor is the well nearly dry yet. Cases at present under investigation promise considerable revenue in the coming year and there are many others which will well merit the close attention of the experts when they are available. While revenue from this special source may possibly lessen in time as tax evaders learn of the heavy penalties to which they lay themselves open, quite an amount in tax and penalties yet remains to be collected on false and incorrect declarations already made.

At £2,400,000 the revised estimate for the current year exceeds the original estimate by some £850,000. While profits brought to tax have been maintained, and even increased in some

cases, it has also been found possible to make up a certain amount of leeway by imposing estimated assessments in time for collection within the current year on the more substantial enterprises whose exact declarations were not available. The increase is thus to some extent fortuitous and non-recurrent.

For the increase in the estimate for the coming year we must look to other factors, one of which, and I refer to the rates of tax imposed, lies largely within the discretion of this Council. Later in this Session Government will introduce a Bill designed to effect a moderate increase in the rates of tax, but I regard this only as a first instalment of the increases which the local taxpayers will have to bear in furtherance of the general development and welfare policy on which we have embarked.

Even the present and projected increases would, however, owing to the operation of the Double Taxation Relief principles, have reflected only moderately in the Revenue Estimates were it not for another factor in which we have but little hand. Members may be aware that the United Kingdom Government has recently entered into a convention with the Government of the United States of America whereby, *inter alia*, tax on certain trading profits is first collected by the country of origin of the profits and this tax is allowed in full as a deduction from the tax payable on the same profits in the other country in which they may attract tax by residence. As is natural in such a complicated subject there are many difficulties to be ironed out. Nevertheless, the Secretary of State has informed me that it is intended to revise the existing Double Income Tax Relief principles forthwith on the lines which I have so briefly explained, and on this assurance we have been able to add some £500,000 to our Income Tax Revenue Estimate for next year.

The success of modern methods in connection with Income Tax has satisfied me that under-assessments of persons in the higher income ranges under the Direct Taxation Ordinance is much too frequent, and as a preliminary to a review of the whole taxation machinery of Nigeria this Council will at an early date be asked to approve measures allowing Native Authorities to make use of the technical ability of the Inland Revenue Department. The extra revenue to be collected and the additional staff required for this service must at present be matters only for conjecture.

Customs and Excise

Throughout the year the Department of Customs and Excise has again carried on its work efficiently and smoothly in spite of a depleted war-time staff. Tonnages of imports and exports have been well maintained and the gross revenue from all sources has come up to expectation.

At the December meeting of Council a bill was passed amending and bringing up to date the Customs Ordinance, 1942 and since then the Ordinance, with its supporting subsidiary legislation, has

been brought into force. This step is significant in the revenue history of Nigeria and of the other four West African Colonies as the new law and regulations are designed to form the basis for unification in customs procedure and practice in the four British Colonies. The whole revenue system, including the multifarious forms used departmentally or by members of the public, has been overhauled and brought into line with modern requirements. A code of rules, framed primarily for the guidance of officers of the Department, has been compiled and printed and is being made available to the public so that commercial and shipping interests may have readily accessible an encyclopaedia of customs formalities and of the many ancillary enactments governing our import and export trade and thus be in better position to follow and comply with revenue and other official requirements.

The following table gives a brief outline of the trade and revenue of the country during the war years:—

	DUTIES		VALUE OF TRADE (excluding bullion specie and currency notes).		TONNAGES	
	Customs	Excise	Import	Export (including re-export)	Landed (including coastwise and transhipment cargo)	Loaded
1939	1,929,658	15,857	6,757,136	10,468,732	433,306	1,020,016
1940	2,105,129	52,569	7,478,818	11,603,687	409,208	1,024,413
1941	2,043,806	72,519	6,505,116	13,782,579	590,449	1,272,116
1942	2,798,003	191,938	10,489,502	14,523,814	847,095	1,341,001
1943	3,452,477	536,417	12,418,239	15,151,562	800,148	1,291,671
1944	3,896,203	722,821	15,717,755	17,189,289	555,130	1,219,056
1945*	3,624,108	603,979	11,300,535	15,404,681	405,983	924,722

* 10 months

As from the 1st April, 1946, control of our land frontiers, at present vested jointly in the Police and the Department of Customs and Excise, will be taken over entirely by the latter and staffed, so far as possible, with ex-servicemen. In time it is hoped to be able to extend this service and close some of the more glaring gaps in our frontier revenue defences.

During the year under review two new enactments under the Excise Ordinance, 1941 were made, namely, the Brewing Regulations, 1945 and the Excise (Cigarettes, Cigars and other Unmanufactured Tobacco) Regulations, 1945. At the moment locally-manufactured cigarettes are the only excisable goods and the duty thereon, together with the customs duty on the imported leaf tobacco used with locally-grown leaf in the process of manufacture, comprises a not inconsiderable part of our total revenue. It is only matter of time before other local industries come into being and it is considered advisable to anticipate this and have the machinery ready to cope with the various excise problems that are bound to arise.

Smuggling, I regret to say, is still rife especially in the Calabar and Victoria areas, but now that hostilities have ceased it is hoped that before long suitable craft to cope with this menace will be made available. That the Department, with the able assistance

of the Police and Administrative Officers is, however, doing what it can with its limited resources to protect the revenue is instanced by the fact that during the first ten months of 1945 no less a sum than £16,469 was recovered from penalties, forfeitures and seizures.

Throughout the year shipping agents and merchants have given of their best in an effort to overcome the difficulties and trials inseparable from war and its aftermath. For this the Government is grateful and it is hoped that the spirit of unselfish co-operation forged in the heat of war will remain to grace the peace.

Agriculture

The European Staff of the Agricultural Department has been seriously reduced in number during the year. Captain J. R. Mackie, C.M.G., proceeded on leave prior to retirement and Mr D. H. Urquhart was appointed to the post of Director of Agriculture, Gold Coast. Mr A. H. Young was promoted to be Deputy Director of Commerce and Industries and Mr J. West, Senior Botanist, was transferred to the Gold Coast. In addition, one officer was transferred to Zanzibar, one to the Development Branch of the Secretariat and one to the Gambia. One Senior Agricultural Officer was retired on grounds of ill-health and one Senior Botanist left Nigeria prior to retirement on health grounds. As an offset to the list of these nine officers only two officers were recruited and arrived in Nigeria.

Every effort was made to maintain production of the principal export crops at a maximum level. The gradings of Palm Oil for the calendar year 1945 amounted to 116,312 tons compared with 141,000 tons in 1944. During the same period, gradings of palm kernels amounted to 299,039 tons, as against 331,000 tons in 1944. The decrease in palm products marketed was due mainly to a bad season, but was influenced by increased activity on crops for internal consumption.

The 1944-45 cocoa crop amounted to 85,000 tons, compared with an average of 100,000 tons for the previous five years. Prospects for the 1945-46 crop are more encouraging. The season was exceptionally late, the main marketing commencing in mid-December 1945.

The 1944-45 groundnut crop amounted to 228,000 tons, a figure above the average for the previous sixteen years. The 1945-46 season will be better, the estimated tonnage to be bought for export being 300,000 tons. The rains were adequate and well distributed throughout the growing season.

The cotton crop in the Northern Provinces gave the low figure of 12,000 bales in 1945 while the Southern Provinces produced a further 4,850 bales. Comparative figures for the previous season show 16,200 bales and 5,700 bales respectively. The low figures were due to restricted planting in the Northern Provinces in connection with the drive for groundnuts, a poor growing season and competition from the internal weaving market.

Production of plantation rubber continues to increase, production figures for 1945 being 8,766 tons compared with 8,558 tons in 1944. Wild rubber has shown a big decline from 736 tons in 1944 to ninety-two tons in 1945. This was to be expected as trees were worn out and vines destroyed. But the object was achieved, wild rubber being produced when the shortage of rubber was most acute.

Forty-three tons of cured ginger were graded in the Kachia District in 1945 compared with thirty-one tons in the previous season.

Grading of potatoes from the Northern Provinces for the local market continued, 1,028 tons being graded as compared with 1,559 tons in 1944. As a result of this inspection, potatoes of "ware" quality only are marketed outside the producing areas of the Northern Provinces.

The Capsicum (Inspection for Export) Regulations, 1945, came into force on the 1st October, 1945, whereby Capsicums and Chillies intended for export must be inspected and graded by the Produce Inspection Branch of the Agricultural Department. Thus a step has been taken to ensure that chillies when exported will be of such quality that they will be accepted on world markets. By the end of 1945, 305 tons had been graded for export.

The Produce Inspection Branch of the Agricultural Department maintained the high quality of its work throughout the year and again it is pleasing to record that no major complaints were received from any of the countries to which Nigerian produce was exported. As the total tonnage involved was some 687,086 tons to a value of approximately £9,706,370 and as nine different products were inspected and graded, this is a tribute to the work of the European and African Staff. This branch of the Department continued to supply information required for the efficient running of the control schemes and undertook the inspection of local products such as rice, maize, etc., as and when required.

I referred in my Address of last year to the danger which might be anticipated from Swollen Shoot of cocoa, a disease which has caused widespread and rapid destruction of cocoa trees in the Gold Coast. The Cocoa Survey to which I then referred got fully into its stride in the Oyo Province in 1945, and by the end of September 37,963 farms totalling 80,415 acres had been surveyed. In an area centering around the villages of Badeku and Olanla there have been discovered 287 farms containing 150,000 trees affected by the disease. Many farmers are apprehensive of the motives attending a campaign designed to remove these trees, which may serve as a source of infection of much wider areas. The understanding and co-operation of owners of these farms will be necessary to ensure the success of this campaign aimed at eliminating the disease. Cutting out of affected trees has now begun.

*The trends of trade following upon the cessation of hostilities have indicated the necessity for scaling down certain important lines of production, notably in pigs and potatoes in the Northern Provinces.

After an inauspicious start characterized in several northern areas by local drought at guinea corn planting time, the season was the best experienced for many years. Only from Ilorin and Niger Provinces, and to a lesser extent, Adamawa and Kabba, come reports of a below average season. Prospects in these areas are, however, little below average. Heavy August rains resulted in the flooding of large areas of swamp and river rice in Sokoto Province, which produces half of the Northern Provinces total crop, and in the Niger area of the Ilorin Province.

The prices of staple grain and roots have remained comparatively steady at last year's prices except for the short period of the June strike. There was, however, a slow but steady rise in the prices of commodities such as fish, meat, butter, rice and wheat.

There was a notable increase in the acreage planted to Guinea-corn; planting took place earlier and growing conditions were better than usual. There was a marked decrease in the incidence of Rosette disease of groundnuts.

The amount of "Allen" cotton seed distributed exceeded that of the previous season by 400 tons. Rainfall continued to be adequate up to the middle of October and the season was reminiscent of that of 1940. Markets were opened for buying on the 7th December, 1945.

Heavy June rains were responsible for damage to the early season crop of Benniseed in Benue Province. Purchases for the season amounted to 5,430 tons compared with 6,422 tons in 1943 and 7,175 tons in 1944.

The total of wheat purchased in 1944-45 amounted to 166 tons, and the price at Kano was £21 per ton. The crop for Nigeria is a highly specialized one grown principally in small irrigated riverside pockets in Sokoto, Katsina and Kano Provinces.

The harvest of the principal food crops generally has been above average. The millet crop yielded a little above average in Benue and Bornu Provinces and a little below in Sokoto, Zaria and Northern Katsina. In general terms the yield of Guinea-corn over the Northern Provinces amounted to 10 per cent to 25 per cent above last year's crop: The yield of rice has been below average as a result of poor planting rains and floods in the latter part of the growing season. Two small rice mills were operated in the Niger Province, where a total of 301 tons was milled.

On the southern borders of the Northern Provinces drought affected the yam crop, and yields were low in Kabba, South Niger and Benue.

For English potatoes the growing season was a favourable one in Zaria Province, but failure of early rains resulted in poor yields in Plateau Province. The strike affected the trade and resulted in a glut in the hands of growers, who suffered considerable financial loss. In August prices fell to as low as 2s 6d per case of 56 lbs., to the grower. Although this is a price which must be discouraging to growers it is noteworthy that railings for the twelve months ending in September, 1945, amounted to 1,447 tons compared with 1,333 and 1,255 tons in 1944 and 1943 respectively.

Railings of fresh vegetables from Kano amounted to 332 tons compared with 297 in 1944, and there were proportionate increases from other northern stations. The tonnage of onions railed from Kano and Zaria amounted to 1,111 tons and 529 tons respectively.

The brown sugar industry has been unable to keep pace with demand owing to the difficulty of obtaining delivery of crushers ordered from India. The total number operating remains at 160. Zaria production is estimated at 1,200 tons, Kano, 120 and other centres 180. The local trade is well organized to handle a large increase in production, but has of course to compete with the chewing-cane trade.

Cattle railments from Kano for the twelve month period ending September 1945 totalled 32,000 head compared with 37,000 for the same twelve months of 1944. The strike was mainly responsible for the apparent falling off in trade, but Lagos meat prices were insufficiently attractive to maintain last year's totals for stall fed fat stock. For the full year railment of stall fed fat cattle dropped from 12,194 in 1944 to 6,290 in 1945. Daudawa cattle market changed during the year from an Army Supply Centre to a normal civilian market, but the system of buying by weight continues. At Daudawa 2,175 head were handled by African traders during the year and railed to the Southern Provinces, whilst 1,410 head were railed for the Abeokuta and Agege Government Fattening Schemes, and a further 468 head were railed for the Lagos Emergency Food Supply.

The output from Agricultural Department piggeries showed a substantial increase over last year. The following figures summarise production over four half annual periods and give totals of bacon pigs railed to Messrs Holt's and the Cold Store, and slaughtered in the Northern Provinces as fresh pork. The number of pigs railed for bacon curing has exceeded a total of 10,000, since the piggeries were opened:—

	Railed (Bacon)	Northern Provinces Slaughter (Pork)	
October 1943-March 1944	1,882	70	
April 1944-September 1944	2,216	4,098	49 119
October 1944-March 1945	2,366	192	
April 1945-September 1945	1,956	4,322	185 377

During the half year April to September 216 weaners were purchased from African owners for finishing at Bauchi, and 250 from Anchau. Private breeders railed 287 bacon pigs to the Cold Store during the period.

The following figures give some idea of the amount of milk retailed in various Northern Provinces Centres:

October 1944 to September 1945				Milk Sales	Cream Sales
				Gallons	Gallons
Kano	...	...	...	3,616	58
Zaria Station Dairy	...	...	...	4,224	1,512
Shika Dairy	...	...	...	3,803	190
Bomo Dairy	...	...	...	710	49

Kano milk supply is obtained mainly from the Native Administration Dairy Unit Farmers and it is retailed through a central organisation. Zaria Station Dairy buys milk from Fulani owned herds after testing, and this is retailed as cream and milk. The Bomo Dairy at Samaru is a Mixed Farmers' Co-operative concern, whilst Shika Stock Farm retails locally all milk surplus to requirements. During the above-mentioned twelve months' period a total of 5,741 gallons of sour milk was retailed in Kano. This trade was built up in collaboration with the Veterinary Department's cream buying station at Dabi.

Production of butter ceased at Kano Butter Factory when this unit was closed in February 1945. Production for the previous twelve months amounted to 16,123 lbs.

The total number of Mixed Farmers in the Northern Provinces is now 2,547, some 300 more than recorded at the end of 1944. The principal deterrent to progress with mixed farming is the difficulty experienced in the purchase of sufficient suitable cattle for draught purposes to meet demands. Difficulties in obtaining ploughs in war time has also limited numbers.

Interest aroused at the Daudawa Settlement has led to the extension of planning from purely agricultural considerations to all that may be summed up in the term Rural development. The Emir of Katsina has agreed that hamlets in the district should be incorporated into the Settlement, entailing a pooling of farms and subsequent re-division. The fact that prospective settlers readily agreed to these actions showed that they realize the financial and social advantages of being members of the settlement.

An improved cotton strain "Samaru 26C" has reached the multiplication stage and the seed will soon be in the hands of growers. This strain has given high yields of lint and brokers' reports continue to be satisfactory.

Breeding for improved milk yielding strains of the White Fulani and Sokoto herds has been continued at Shika. Multiplication of the herd of tse-tse resistant N'dama cattle has been

continued at Ilorin, and plans are in hand for expansion of this herd to enable further studies to be made by officers of the Veterinary and Agricultural Departments.

The Agricultural Engineer has been engaged on anti-erosion work on the department's farms in the Northern Provinces, and has been employed in an advisory capacity to development Committees. Lack of heavy mechanical equipment has seriously handicapped his work. Suitable equipment is on order and is expected to arrive in 1946.

At Samaru Agricultural School eight students passed out, and twenty-four were in training during the year.

All over the Southern Provinces the early rains were exceptionally late in starting and the total rainfall generally has been appreciably below average. Of the early crops the yam crop was the most seriously affected, and yields are variously reported to be from 10 per cent below average in Ogoja Province to 40 per cent below average in Oyo Division of Oyo Province. The early maize though late in maturing as a result of late planting, produced average to good crops in the Western Provinces, but in the Eastern Provinces yields were disappointing. Reports from most provinces indicate that there has been increased planting of Cassava and cocoa yams, and in the Western Provinces rather more late maize has been planted than usual and the crop is generally considered to be well up to average.

Further progress has been made by the Agricultural Chemists in studying the soil requirements of cocoa. It has previously been recognized that there are only certain kinds of soil in the Western Provinces having physical properties favourable to successful growth of cocoa, and that the supply of "plant-food" in the soil is not an important limiting factor in the main producing area. It has been possible to select land accordingly before making extensions to the main experimental cocoa farm during the last four years; planting has been much more successful than previously, and the new plots are now growing uniformly well. In proceeding with a reconnaissance soil survey of the Western Provinces much benefit has been derived from a two-months' visit to Southern Nigeria by the Soil Scientist of the West African Cocoa Research Institute, during which he clarified the relationships between the soils and rock types occurring in the area.

The principles which must determine the development of intensive systems of cultivation in the Crystalline-Rock area (the most fertile part of the Western Provinces) have been further elucidated by laboratory work and field experiments at Moor Plantation. It has been proved that some of the rotations followed for a long period have not included sufficient green-manure crops to maintain the nitrogen supply of the soil; on the other hand there is strong evidence that intensive cropping is possible without using fertilizers, provided that adequate amounts of plant

material are grown and incorporated in the soil. Chemical investigations into the changes taking place in the surface soil under different cultural treatments have also been started at the Oil Palm Research Station (which is on the Benin Sands) and these are already providing valuable information.

The caterpillars of the moth of the Pink Bollworm of cotton attack the bolls and seed of Cotton. Until recently West Africa was one of the few cotton-growing areas in the world which was free from this pest. During 1944, it was found to be present in the Zaria area and in the Western Provinces; in the same year, French Entomologists discovered it to be infesting cotton in French Sudan, the Ivory Coast and Dahomey. More recently the Pink Bollworm has been found in French Togoland, where it is now a pest of major importance.

To date the infestation in the Northern Provinces is negligible; but it was serious in parts of the Western Provinces in both 1944 and 1945. The pest has been found to have a larval resting stage in cotton-seed in both areas. One of the main control methods is to uproot the plants, as soon as possible after harvesting is completed, and to burn them and all plant debris lying on the ground. The various Native Administrations in the Western Provinces were asked to persuade farmers to carry out this simple measure in early 1945, but the response appears to have been almost negligible and there is a heavy infestation this season in certain areas. At Moor Plantation, Ibadan, this control method was rigorously carried out and the 1945 infestation is much smaller than that of the previous year.

A study of the Pink Bollworm is being made at Ibadan; it has been found that *Hibiscus esculentus* (okra) is an alternative food-plant, so it is evident that this plant should not be grown in the vicinity of Cotton fields.

The resting stage in cotton-seed can be destroyed by heat treatment in the ginneries; but it seems useless to import the necessary machinery until it is proved that the farmer can be persuaded to carry out the simple method of uprooting and burning his plants after harvest.

The Agricultural Botanists have been engaged during the year in assisting to maintain high quality in Birdseye Chillies and in rapid multiplication of a cocoa tree whose progeny has been shown conclusively to produce beans of above average size. This work is connected with plans to distribute seed of high yielding strains to farmers in areas where it is proposed to destroy cocoa trees at present infected with Swollen Shoot.

In addition to this work the Botanists have continued routine investigations with food-plants, cotton and the Oil Palm.

The Development programme for 1946 envisages the establishment of experimental farms in Bornu and Adamawa Provinces. Agricultural Officers have been stationed in these provinces for

a few years but their work has been largely confined to war time production. Provision of these farms will enable these officers to concentrate more upon the fundamental culture problems which are necessary concomitants of all development work.

The programme involves the close study of the serious problems of fertility deficiencies and soil deterioration in the Eastern Provinces. At the Oil Palm Research Station in Benin Province comprehensive research continues upon the oil palm. The investigations undertaken there are believed to have a very direct bearing upon the future of development in the Eastern Provinces. The experiments upon which a start has been made include a wide range of different cultural methods hinged upon the oil palm and aimed at ascertaining the best methods for growing an adequate supply of foodstuffs in conjunction with the palm.

The programme in the Eastern Provinces includes experiments with Cinchona and Pyrethrum, and the developing of farming systems in which commercial fertilizer may be utilized. Wide interest has been displayed in the successful establishment of piggeries in which the animals are protected against tsetse fly. Production of pigs as a means of increasing the supply of animal protein for the people will receive increased emphasis.

In the Western Provinces it is proposed to select farms for the multiplication of Livestock, and for development of the poultry industry. To enable investigations to be continued by the Veterinary and Agriculture Departments with cattle of the tse-tse resistant Ndama breed it is proposed to import a number of selected animals from French Guinea during the year. It is proposed also to commence work on a general experimental farm in the Ondo Province.

One of the fundamental needs of the Department is a close liaison with the native producer and for this purpose trained African Staff are essential. Facilities for training will be increased during the year to enable Agricultural Schools to accommodate a larger number of students.

Co-operative Societies

During 1945 the Co-operative movement has shown steady though not rapid expansion. The year saw the close of the first Season in which Co-operatives acted as "A" shippers of cocoa. In the 1944-45 season the Ibadan and Ife Unions carried out this business with reasonable efficiency despite a disappointing short-fall in production in the Ibadan area.

During the 1945-46 cocoa season four Unions have operated as "A" shippers of cocoa, namely those of Ibadan, Ife, Ilesha and Ijebu. These Unions have combined to form the Association of Nigerian Co-operative Exporters, a body which co-ordinates their accounting and arranges for the railing and shipment of their cocoa.

The Salary Earners' Thrift movement has expanded steadily and societies' total assets now approach £150,000. Many of these societies have lent sums totalling about £40,000 to the cocoa Exporting Unions for payment to members for cocoa delivered.

The Thrift and Credit movement among the small traders and farmers of Calabar Province has consolidated its position. A Banking Union has been formed, the primary object of which is to meet the poorer societies' demands for credit from the surpluses accumulated by a few of the richer societies.

Two new Co-operative schools were formed, making four in all. Craftsmen's Co-operative Societies at Benin and Ikot Ekpene made good progress and produced large numbers of attractive articles in woodwork and raffia for the local market.

The farmers of seven villages in the Oyo area formed Co-operative Marketing Societies for the collection and sale of their Bird's Eye Chillies. Despite difficulties connected with the new conditions of sale these farmers persevered and in most instances have secured a firm financial basis for their societies.

Local Foodstuffs and Supplies

I will turn now to Exports, Local Foodstuffs and Imported supplies. In my December speech I referred to the marked falling off in production of palm kernels and palm oil for export. Taking the figures for the calendar year 1945 against those for 1944 the decrease in the case of palm oil amounted to 22,000 tons and for kernels 41,000 tons. The kernel purchase returns for the first two months of 1946 show a slight improvement, but the volume of weekly purchases, in spite of the increase in price, is still appreciably lower than in previous seasons and total purchases for the five months beginning last September were less than 80 per cent of the average for the same period in the last three years. Similarly in the case of Oil, the total purchases for export for the five months beginning last September were only 55 per cent of the average for the three previous seasons.

While adverse climatic conditions have been partially responsible for this decline in palm production there is little doubt that the cessation of hostilities was the signal for a general relaxation of effort on the part of producers for which the higher prices, so often proclaimed as a panacea, have yet to prove a satisfactory remedy. I should like to take this opportunity of reiterating that the end of the war, so far from diminishing the United Nations' requirements of oil and oilseeds, has placed an additional strain on their available resources, towards the replenishment of which Nigeria's contribution is still of vital importance.

I am glad, however, to be able to report a much more satisfactory situation in regard to groundnuts. The total crop is expected to reach about 315,000 tons, or nearly 90,000 tons more

than in 1944-45; of which some 300,000 tons will have been marketed in the Kano area. At a time when the railway has been handicapped by a lack of motive power, as a result of the strain imposed on a limited supply of engines and the impossibility of carrying out adequate maintenance during the war years, the evacuation of so large a tonnage presents a considerable problem and arrangements have had to be made for the storage in the open under tarpaulins of some 60,000 tons of groundnuts for which accommodation cannot be found in covered stores. The price of groundnuts has remained the same as in the 1944-1945 season.

It is estimated that the Western Area cocoa crop will produce 88,000 tons or some 2,000 tons more than last year. Prices for the 1945-1946 season were raised by £4 10s per ton over the 1944-1945 prices.

As regards the general control of exports a large number of commodities have now been placed on Open General Licence and may be freely exported to countries in the sterling area, without special permit or licence. Apart from the prohibition of export of imported articles, local foodstuffs and locally-woven cloth, the chief limiting factor is the need to ensure that certain commodities are reserved for the United Kingdom and the United States of America. The system of special licences in the case of all exports to non-sterling countries must however still be maintained, in order to ensure that the foreign exchange proceeds are properly accounted for.

As to local foodstuffs the position at the moment is satisfactory and most areas have had an average harvest. Difficulties have been experienced however with both Rice in the North and Yams in the South and the effect of bad harvest conditions on these crops is likely to be felt in the next "short season". A small strategic reserve of corn is being maintained in the North, and there are stocks of maize, both imported and local, in Lagos, but I should like to take this opportunity to emphasize that with the gradual cessation of requisitioning and bulk purchasing of foodstuffs, the supply position and the price to the consumer, is largely out of the control of Government, and I can only express the hope that the producers and middlemen will realize their responsibilities. The cessation, for instance, of rice requisitioning this year in the Abeokuta Province has resulted in no purchases at all for the Pullen Markets, and a "black market" price of rice in Lagos of 3s 6d an Olodo.

There has been no change in the supply of imported foodstuffs and it is unlikely that there will be any material increase in imports of the more important foods during the present year. Unfortunately, therefore, it is unlikely that any relaxation of rationing will be possible in the near future.

There has been a slight improvement in United Kingdom supplies of non-foodstuffs but both in Britain and in other European countries the change-over to peacetime production is inevitably a slow process and no effective increase in supplies can be expected during 1946.

The necessity to conserve dollar exchange pending the clarification of the position resulting from the Anglo-American Financial Agreement now under discussion, unfortunately restricts our ability to purchase goods in the United States.

There is a particularly serious world shortage of textiles and the weight of demand from the liberated territories in Europe and the Far East thrown upon a limited productive capacity has brought supplies of cotton piece goods for West Africa to an even lower level than any experienced during the war. It is therefore necessary to retain in this country the production of our local weavers, so that this may help to relieve the shortage of cloth. A most favourable opportunity is thus presented to the local industry to adapt its methods and capacity to meet the demands of the home market.

There is a similar and most serious shortage of motor tyres and tubes, of which supplies are lower than ever before. The decline in military requirements has been more than counter-balanced by the needs of rehabilitation in Europe and by production difficulties, and while these conditions obtain it is impossible to expand motor transport services in Nigeria to the degree which is so eminently desirable. It is, in fact, extremely difficult at present to procure sufficient tyres and tubes to keep on the road the existing and very inadequate transport fleet, and no relaxation of control can be hoped for in the immediate future.

Before leaving the subject of Supplies I should like to make brief mention of the work of the Commercial and Accounting section of the Supply Branch. It is not yet possible to publish statistics showing the value of Lease-Lend and Cash Reimbursement goods which have been received into this country during the war, but both in volume and value the total is large and the work involved in handling and accounting has been heavy. At the present time the accounts are being closed with a view to final settlement with His Majesty's Government and this in itself is no light task. Furthermore the disposal of the very large quantities of Army Surplus Stores is now the immediate concern of the Supply Branch. It will be appreciated therefore that the Staff of the Commercial section is very fully occupied and likely to be so for some time.

Veterinary

The continued restrictions in staff and equipment confined the activities of the department largely to practical measures in the control of the more important epizootic diseases. The Laboratories

concentrated on maintaining the output of various vaccines with minor research on some pressing problems. The Veterinary School while well into its stride, is still hampered by lack of staff and some difficulties in recruiting students suitable for veterinary education of a higher grade.

The Food Production division of the department has continued its output of dairy products and pig products though hampered somewhat by the increasing local demands for whole milk and butter fat by the indigenous population direct from the producers. The shortage of grain has made it imperative that the output of bacon pigs be reduced.

A Ten-Year Development Plan for increased veterinary services has been submitted. It provides for the suppression of stock diseases, such up-grading of the economic farm animals as is compatible with the environment, improvement of animal husbandry and the promotion of the marketing of domestic animals and their products.

In the field, the year was noteworthy for the reduction in the number of outbreaks of epizootic diseases and the greater ease with which such outbreaks were controlled, indicating that the policy for so many years of wholesale vaccinations against a number of diseases has built up an adult population largely immune to such diseases and has eliminated a great number of foci of infection. The popularity of the new attenuated goat virus vaccine for Rinderpest has increased and this method of control of Rinderpest has now superseded all others. Over 600,000 cattle have been vaccinated against this disease alone, mostly young animals. Approximately half of these were treated with the dried vaccine prepared at the laboratory and the other with a strain of infective goat blood, prepared in the field from Laboratory dried vaccine. Over 1½ million other vaccinations of cattle have been carried out against such diseases as Contagious Bovine Pleuro-Pneumonia, Caprine Pleuro-Pneumonia, Blackwater, Anthrax and Haemorrhagic Septicaemia. The demand for poultry diseases vaccines increased and over 15,000 doses were issued.

Contagious Abortion of Cattle has been more prominent this year as a result of wholesale testing of cattle on Government farms. While the losses to such farms are important, it is negligible to that which would result if such stock were issued to Stockowners untested. There is no evidence as yet that the disease is of economic importance in native owned herds of the country. Vaccination of young adult stock on Government Farms has been instituted.

Research.—Six hundred and sixty grams of desiccated attenuated Rinderpest virus vaccine were prepared during the year. It has now been established that one gram of virus will immunise 500 head of cattle so that sufficient virus was produced to immunise 330,000 animals. Results have been excellent. Post vaccination mortality has been substantially reduced and clinical reactions

are mild. One of the great advantages of the present method of vaccination is that reacting animals are not infective for incontact susceptible cattle as was previously the case when immune serum and bovine virus were used for double inoculation.

A triple course of vaccination has now been elaborated for the immunisation of cattle against Contagious Bovine Pleuro-Pneumonia, which is one of the most serious diseases of cattle in Nigeria. The first vaccine is mild but protects the animals against the second and third vaccines, which are of increasing potency. Both Laboratory and field experiences show that the course of vaccination is efficacious in protecting healthy animals from incontact infection. The vaccines are prophylactic only and valueless as curative agents. Methods for the more ready diagnosis of this insidious disease are under investigation.

The curative value of Phenanthridinium Compound (May and Baker S.897) for Trypanosomiasis or "Nagana", has been repeatedly confirmed, both experimentally at the Laboratory and under field conditions. This drug is easily the best on the market, though it is anticipated that a yet more powerful trypanocidal compound will soon be available for testing out under Nigerian conditions. If cases of Trypanosomiasis are diagnosed early a cure may be effected by one injection of Phenanthridinium, though a course of treatment consisting of three or more injections is often necessary in more chronic infections. Phenanthridinium Compound is equally valuable for the treatment of Trypanosomiasis, due to *Trypanosona Congolense*.

The presence in Nigeria of two diseases, namely, Blue-tongue of sheep, and Ephemeral Fever of calves, was confirmed for the first time. Both diseases are widely distributed throughout Tropical and Sub-Tropical Africa, and it would have been strange had this country escaped infection. There is little doubt that both diseases are transmitted by Arthropods since they are most prevalent during the rainy season when haematophagus insects are most numerous and active.

At present these diseases are of minor importance since indigenous animals possess a considerable inherited resistance against them. They are likely to be more serious when native cattle and sheep are crossed with imported breeds from overseas.

Fourteen cases of canine rabies were diagnosed during the year, and it is unfortunately only too true that this figure gives no indication of the real prevalence of this serious disease.

In some parts of the country a disease of horses characterised by nervous symptoms and serious mortality has been reported. It is yet too early to state whether it is the same condition described in the United States and Europe under the name of Infectious Encephalomyelitis. Investigations are proceeding.

The Pathologist was a part-time Lecturer at the Veterinary School teaching Pathology and Medicine to the senior students.

Approximately $2\frac{1}{2}$ million doses of twelve different biological products were issued for use in the control of animal diseases in the field, during the year.

Veterinary Education.—The Veterinary School is now in a position to undertake the training of all types of Veterinary Students. Throughout the year School activities were conducted by the Principal and one permanent Veterinary Education Officer. Two qualified temporary Veterinary Education Officers (women) were appointed for different periods during the year to assist with the teaching and there was one part-time Lecturer.

Three courses of different standard are now given at the School. Thirty-nine students were in attendance on the 1st January, 1945. Sixteen students qualified during the year. Thirty-one new students were enrolled in October and November. One extra territorial student from the Gambia attended the Senior Veterinary Assistant's course.

The wastage of students through unsuitability was fairly high, seven resigning for this reason, while eight failed to pass the examinations.

The Veterinary Hospital attached to the School, which plays such an important part in the training of students, has been highly successful. About 300 new cases were admitted, the majority being dogs and horses brought by fee-paying owners.

Constructional work connected with the School buildings has now been completed, most of the fittings and furnishings have been installed and over 80 per cent of the Equipment ordered in 1943 has been received. The arrival of text books has been spasmodic; but the School Library is now beginning to take shape. Single students are now being given full board at the Mess attached to the School.

The most significant observations to be made in connection with the Veterinary School in 1945 are:—

- (a) The dearth and unsuitability of student material for the courses for Assistant Veterinary Officers and Senior Veterinary Assistants.
- (b) The inability of the Colonial Office to recruit the approved establishment of Lecturers.
- (c) The disadvantages of fitting the Assistant Veterinary Officers curriculum into an 18 months tour for European Teaching Staff, thus prolonging this course unduly. By modifying the tour for Europeans the instructional period for Assistant Veterinary Officers Students could be reduced from 66 months to $43\frac{1}{2}$ months without effecting the extent and standard of teaching given.

Local Industries—Animal Products.—The Food Production Schemes of the Veterinary Department inaugurated at the begin-

ning of the War has functioned continuously for six years, and the turn-over was again approximately £30,000 in 1945. The output of the main products for the year in round figures is as follows:

	<i>Pounds</i>
Fresh Butter	195,000
Clarified Butter Fat	32,000
Cheese	70,000
Bacon	80,000
Fresh Pork	11,500
Pickled Pork, Sausages, Lard, etc. ...	5,000

The demand for fresh milk and Fulani-made butter by natives on the Plateau caused a drop in the purchases made at the milk buying units. Though the totals for butter and cheese are only a little lower than those for 1944, this was reached only by taking in for at least ten months of the year all sources of milk supply previously tapped by the Kano Native Administration dairy. The total production has dropped 20 per cent.

The policy of paying only surplus milk prices has been maintained in order that no supplies which could be sold at higher prices in the local markets should be diverted to the production of high-class butter and cheese. Sources of cream from farther afield are now being investigated in an endeavour to maintain production and develop the industry in remote grazing areas.

A new side line in the Bacon Factory was the production of pickled pork which commenced a few months back. Approximately 200 pounds per week are sold very readily to Africans in the industrialised area around Bukuru and enquiries have been received from the Eastern Provinces. Methods of manufacture suitable for African establishments are being investigated.

All African technicians are now showing considerable skill in the various branches of these animal products industries. Considerable interest in the piggeries has been shown by many Africans anxious to incorporate pig rearing in their farming activities.

Veterinary Development Plan, 1946-47 Stage.—In discussing the first stages in the plans for developing the livestock industry of this country and ensuring its prosperity, it is essential to bear in mind that the various major diseases so prevalent in much of the African continent, such as Rinderpest, Trypanosomiasis, Pleuro-Pneumonia, Anthrax, Blackwater, etc., still continue to take their annual and heavy toll, notwithstanding the vast amount of energy expended, and the numerous immunizations which have been carried out during recent years. Now that funds, and, we hope, skilled staff, will be forthcoming, under the Development Plan, it is intended to intensify our efforts to control, and, where possible, eradicate, these hindrances or obstacles to progress, for, while serious epizootic diseases persist, there can be no true progress; trade in stock products in general will remain fettered, and a potentially lucrative industry suffer frequent setbacks.

While Rinderpest persists in neighbouring territories, to the north and east, not only must we stamp out all internal outbreaks, as they occur, but we must, also, endeavour to prevent inroads of infection from these outside sources by creating a belt of immune stock as a barrier along our northern and eastern boundaries. To enable this to be done in a thorough and well organized fashion immunization camps will be built at strategic points, and will be staffed by skilled operators.

These permanent camps or centres will be invaluable for dealing also with other important diseases and advantage will be taken of the presence of stock-owners to disseminate propaganda on all aspects of stock management.

The Refrigeration and Dehydration Plant at Vom Laboratory is far from being satisfactory, as regards both efficiency and output, for the demands which will be made upon it in future for the production of our newer and, at times, more delicate viruses, vaccines, sera, etc. This will be replaced by more modern apparatus of a type somewhat similar to that at present being used so successfully by the Yellow Fever Institute in Lagos.

Investigations on both a Laboratory and Field basis, into the efficacy, and general technique of use, of the newer drugs of the Phenanthridinium group will be carried out with a view to planning a full-scale attack on Trypanosomiasis.

Investigations into and treatment of Helminthiasis will also be proceeded with, as it is realised that worm infestations which inhibit the growth and affect the health of young stock will, yearly, become of increasing importance, as mixed farming attains greater popularity; a form of agriculture which renders it necessary to concentrate stock for prolonged periods on permanent or semi-permanent pasture, resulting in gross contamination of the ground.

In order to enhance the value of our exports of hides and skins, experiments will be carried out from time to time on methods of flaying, drying and general preparation. At the same time trained staff will tour the countryside giving advice on, and practical demonstration of, the newer and better methods of preparation as they are evolved. These men will also be able to keep a fairly close check on the prices paid for the various grades and so ensure to the African producer an adequate return for his labours.

In certain areas where the keeping of livestock is unpopular or uneconomical, investigational work will be carried out, and economic surveys will be made, with a view to ascertaining causes and remedies.

In the central and southern belts, especially, where Trypanosomiasis precludes the keeping of cattle in adequate numbers, the possibilities of raising pigs, sheep, and goats, on an intensive scale, in order to supply the serious protein deficiency in the diet, will be kept well to the forefront.

As a logical corollary, efforts will be made to improve the standard and type of livestock, and breeding centres will be set up at which general breeding experiments, including artificial insemination, will be carried out. In this connection it should be appreciated that, in the breeding and raising of livestock in this country there is still much to be learned. The types seen today may be far from satisfactory, when judged by the standards of more temperate zones, yet, these types are the results of a long process of evolution, or in other words, when one considers the many diseases prevalent, the long dry seasons and the poor grazing, it has been a matter of the survival of the fittest. Any attempts, therefore, to alter drastically our existing stock must be undertaken with due care and discernment, lest the resultant so-called "improved" stock suffer so greatly from adverse climatic conditions, epizootic diseases, mineral or vitamin deficiency, etc., that the peasant farmer with limited facilities finds it unprofitable to rear the new product.

If one were to attempt to summarize the early stages of the Veterinary Development plans it might well be done as follows:—

(a) Control and, where possible, eradication of major diseases which interfere with the production, movement and sale of livestock;

(b) Investigation into the possibility of producing animals of a suitable type in areas where, at present, stock do not exist in any appreciable numbers owing to the prevalence of disease or other adverse causes;

(c) Improvement in the quality and production of stock products, i.e., hides and skins, meat, pork, bacon, milk, butter, clarified butter fat, etc., chiefly from the scientific angle not the commercial, although this angle will receive due consideration;

(d) Improvement of all types of livestock, within the limits imposed by local conditions of climate, disease factors, food available, etc.;

(e) Establishment of the livestock industry on a sound and businesslike footing, thus ensuring profit to the producer, satisfaction to the consumer, and justification for the expenditure of funds, by Government, on development.

To achieve these aims we must, by precept and example, enlist the goodwill and support of every stock-owner throughout the land, for the time will soon come if, indeed, it is not already upon us, when land and grazing will be much too valuable to permit of its use by uneconomic stock, or by an owner who will not play his part in promoting the general prosperity of the livestock industry.

Medical

The serious shortage of staff in the Medical Services continues to hamper effort and it has regrettably been found necessary to close down one Medical Station during the year, while a further

one has been without a Medical Officer for several months. This shortage of qualified doctors and Nursing Sisters seems likely to continue for some time, but it is hoped that the numbers of applications for new appointments among discharged Services personnel will shortly increase and relieve the situation. It seems almost inevitable, however, that slowing up of the development programme will occur.

Co-operation between the Civil and Military Medical Branches has continued with mutual advantage, but we find the immediate prospect of aid from Army Sources is dwindling as a severe cut in military medical work is at present in process of being carried out. The assistance the R.A.M.C. has tendered in the form of provision of lecturers and examiners at the Medical School and the posting of Army Nursing Sisters to Civil Hospitals in times of acute shortage has been most welcome.

There has, regrettably, been little reduction in cerebro-spinal Meningitis during the year, and there was a heavy incidence in many provinces. The provinces most affected were Bornu, Katsina, Sokoto, Onitsha, Bauchi, Adamawa and Plateau. This showed a considerable difference in distribution from the previous year. Owing to the outbreak of typhus fever at Jos mobile epidemic staff who would normally have dealt with cerebro-spinal Meningitis had to be posted to typhus control.

Epidemics of smallpox have continued to occur throughout the year and the incidence was highest in Katsina, Calabar, Plateau, Oyo and Bauchi Provinces. An epidemic commenced in the Badagry Division about November and a team of vaccinators was sent to deal with it. It is thought that this epidemic may have originated in the practice of Shopono worship which is prevalent in that area. Stocks of lymph prepared by the Lymph Production Institute have been adequate to meet the demands of the country and also to supply the considerable quantities which have been requested by the other West African Colonies. Vaccination campaigns have been successfully carried out in Sokoto Province and also on the border between British and French Cameroons. This latter campaign was initiated in view of a report that an outbreak of a very serious type of smallpox was occurring in the French Cameroons, and was carried out in conjunction with the French Medical Authorities.

Early in June 1945, an outbreak of louse-borne epidemic typhus occurred in Jos Native Town. This was the first recorded epidemic of this disease in British West Africa. As soon as the outbreak was recognised steps were taken to mobilize the resources of the Department to combat it. Extra staff—European and African—were posted to Jos and an intensive campaign to eradicate the disease was inaugurated. Various preparations of D.D.T., which is lethal to lice, were utilised. The first step taken was to search for cases of typhus throughout the town. Any suspected cases of typhus were then deloused and removed to the isolation centre. To assist

in tracing possible cases, Registration of deaths was made compulsory and this gave some valuable information. Whenever a suspected case occurred, or a person died from an uncertified cause, a thorough disinfestation was carried out of the compound and its inhabitants. Daily visits were paid thereafter to the compound for a period of two weeks so that secondary cases occurring amongst the contacts could be discovered. When sufficient supplies of D.D.T. became available it was possible to extend activities and teams were established which went from compound to compound throughout the town disinfecting all persons and their belongings. In addition, in order to prevent the spread of the disease outside Jos, disinfesting stations were set up in the markets, which also dealt with lorry traffic. All passengers proceeding by rail were disinfested at the Railway Station. Only eleven established cases occurred outside the township of Jos—eight of these occurring at Bukuru and three at Vom. These outbreaks were soon brought under control by the same methods as were used at Jos. In Jos itself it took a longer period to eliminate the disease, but by the middle of September it was completely under control and no further cases occurred. Over 80,000 persons and 1,300 compounds were disinfested with D.D.T. powder. In all there were 126 clinical cases of typhus fever, of which thirty-two died. Although typhus has quite frequently been reported in Nigeria, previous cases have always been of the Murine type which occurs sporadically and is not associated with epidemics.

Anti-Malarial Works financed from the Colonial Development and Welfare Fund have continued in the Lagos area, and during the year 1,052 acres of Swamp have been drained by bunding at a cost of £20,139. This reclamation involved the building of 9.2 miles of bund, the excavation of 36.7 miles of internal drains and the construction of seven sluice gates. On Iddo Island the swamp west of the railway has been reclaimed and on Ikoyi Island all tidal swamps east of Macgregor Canal. South of Five Cowrie Creek all swamps lying between the proposed eastern limit of the sand-filling scheme and Magbon Creek have been reclaimed. To the west of Lagos Harbour from Apapa on the north to Meridian Point southwards an area of 1,677 acres of swamp, reclaimed in 1943 and 1944, has been maintained. This involves the care of 9.3 miles of bund, 44 miles of internal drains and eight sluice gates.

The Sleeping Sickness Service is controlling human trypanosomiasis by drug treatment and by reduction of contact between man and the tse-tse fly. About 18,000 cases of sleeping sickness are treated annually. Much of this work is in the Northern Provinces, but a recently completed survey in the Obudu Division of Ogoja Province has shown a moderate incidence of a rather severe form of the disease. Field Research on new drugs and on modifications of existing treatment is in progress.

Permanent control of sleeping sickness by complete eradication of tse-tse fly from 700 square miles of country, together with

concentration of population and rural development, are the objects of the Anchau Settlement Scheme. Allied with this is the protection of villages over a wide area by communal clearances at points where contact with tse-tse fly is greatest. To date some 400,000 people have benefited by these measures. The success of the Settlement Scheme and the associated protective village clearances, at present financed under Colonial Development Scheme No. 445, is acknowledged. In the near future the Government of Nigeria will accept financial responsibility for all measures to control tse-tse fly and sleeping sickness.

The scheme for Leprosy Control for which an initial grant of £258,000 was approved in August 1944 was brought into effect from the 1st April, 1945. In the interval arrangements were made for the taking over of the Leper Settlements at Uzuakoli, Oji River and Ossiomo previously administered by the Missions and by the Benin Native Administration. During this period the estimates for the five-year scheme were recast to make provision for present-day costs of construction which were not adequately provided for in the original estimate. As a result of this revision it was necessary to apply for an additional grant of funds. After consideration by the Secretary of State, an increased grant of £170,875 was approved. The initiation of the scheme was greatly handicapped by the fact that a majority of the Mission medical staff, sisters and lay workers of the British Empire Leprosy Relief Association, who were being seconded or transferred to the Government Service had not had leave in Europe for very long periods. It was considered advisable that all who were due for leave should be granted this at once so that the experienced workers would for the most part be available for a full tour of duty by the end of 1945 by which time the final approval for the increased grant of funds and the revised scheme would have been obtained.

Relief Staff was posted from the general branches of the Medical Services, not without difficulty owing to the extreme general shortage of personnel. During this period the work could only be maintained on its existing basis without expansion or development. The approval for the additional grant was obtained in November 1945. The year was therefore occupied with organisation of the service and the internal financial arrangements of the settlements which had to be brought into line with Government accounting procedure. The Accountant-General kindly posted an officer to assist in this matter. Steps were taken for the acquisition of land, and plans and working drawings of new buildings for a Central Leprosy Unit and for the improvement and expansion of existing settlements were prepared. These developments can now be put in hand as materials and personnel become available for building construction.

The new African Hospital at Victoria is more than half-way towards completion and it is expected that it will be completed early in the forthcoming Financial Year. New 30-bed semi-

permanent wards have been erected at Benin, Bauchi, Bida, Makurdi, Kano, Sokoto and Yola Hospitals which, while primarily designed to cater for returned ex-soldier invalids, provide much needed additional accommodation for the civilian population in these localities.

The new Idumagbo Infant Welfare and School Clinic Centre in Lagos, which was opened towards the end of 1944, is now functioning very well and has done much to relieve congestion at the General Hospital and Massey Street Dispensary.

The Rehabilitation Centre at Igbobi was taken over from the Army Medical Authorities on the 15th October, although it is not yet a going concern, owing mainly to lack of equipment which is slowly coming forward and inability to secure the services of all the specially qualified staff required. An Orthopaedic Surgeon has arrived and, since the Institution was taken over from Military Control, has made much progress towards its conversion into a civilian establishment, despite the fact that, owing to shortage of staff through invalidings and transfers, it was found necessary to post him for full-time surgical duties in Lagos hospitals.

Chemistry

The total number of samples and exhibits examined during the year was 4,516 as compared with 4,448 in 1944. These may be classified as follows:—

Customs	...	...	...	...	...	68
Medical and Health	...	...	...	...	...	272
Health (Bacteriological)	...	...	...	...	...	502
Public Works and Health:—						
Water samples: Bacteriological	...	...	...	...	...	3,024
Chemical	...	...	...	...	...	74
Public Works	...	...	...	...	...	31
Police and Administrative (Criminal Cases)	...	...	...	...	...	206
Railway	...	...	...	...	...	17
Miscellaneous	...	...	...	...	...	322
Total						4,516

The work of the department has been similar to that in previous years. Investigations and analyses were carried out and advice given to Government Departments, the Nigerian Railway, Enugu Colliery, the Merchant Navy and to a lesser extent private firms, banks and individuals. For the Merchant Navy, ships' tanks were examined for the presence of inflammable or asphyxiating vapours; and mineral oils, cylinder deposits, coals and general supplies tested. Work done for the Military Forces included the examination of tinned and bottled provisions, soap, castor oil and water sterilising chemicals. Twenty-three toxicological analyses were carried out for the Services mainly in connection with the

simulation of certain diseases by malingerers. Analyses have been carried and advice given to firms and individuals on local industries, corrosion of coinage and metals, clays, mineral oils, sea and fresh water damage, quality of imported whisky and gin and on water for domestic and industrial uses.

Water.—Daily bacteriological tests of the water supplied in Lagos, Port Harcourt and Kaduna gave very satisfactory results throughout the year and the weekly or fortnightly tests on the Kano, Zaria, Jos, Enugu and Aba supplies also showed satisfactory operation during the year. The Ibadan supply was not quite so satisfactory but as a result of a long visit to this plant in May, suggestions were made which have resulted in improved and more economical running.

Chemical analyses were carried out on existing and projected water supplies and periodical analyses were made in connection with the control of feed and boiler waters for a number of power stations.

A major increase in the work of this department, in co-operation with the Public Works Department, will arise from the large programme of development of rural and urban water supplies. Provisional approval has been given therefore for the appointment of two qualified European chemists for work solely in connection with the examination and supervision of water supplies, in addition to the present staff. One or both officers would be more or less permanently on tour and would also assist in the supervision of the departmental laboratories at Ibadan, Kaduna and Port Harcourt.

Even under present conditions proper supervision of a number of urban water supplies is difficult or impossible owing to the difficulties of transporting bacteriological samples to the nearest laboratory within a given time and Provisional approval has been given for a travelling laboratory (on a lorry chassis) which will be fully equipped to enable bacteriological and chemical examinations of water samples to be carried out on the spot. This travelling laboratory, in charge of a qualified European chemist, should also be of great assistance in the development of new water schemes by enabling rapid preliminary examinations of samples to be carried out near the site of the projected sources of supply.

Arrangements are being made to transfer the Eastern Province laboratory from Port Harcourt to Enugu as being more centrally placed to receive samples from the various supplies in this area.

Toxicological and Police Work.—Poisons detected in viscera were Antimony, Arsenic, Bismuth and the African Ordeal poison Sassy Bark (*Erythrophloeum guineense*). In a majority of the cases in which arsenic and bismuth were detected, death had been caused by illegal injections of organic salts of these metals. Other drugs identified in exhibits submitted by the Police included organic arsenic; bismuth and mercury compounds; acriflavine; sulphonamides; santonin; Indian Hemp (*Cannabis Sativa*); zinc

and copper compounds and caustic soda. A solution of atropine sulphate, which had caused serious symptoms on injection was found to be sixty-four times the prescribed strength. A local remedy of considerable renown was found to be powdered magnetic iron oxide. Identification of human from other bloodstains could not be undertaken until very late in the year when supplies of suitable anti-human serum became available.

Miscellaneous.—A sample of local basaltic clay in powdered form was reported as a suitable inert diluent for D.D.T. Metallic pellets sold as raw gold were found to be copper pellets thinly plated with gold. A sample of suspected military petrol from a private car was found to be coloured red with a different dye-stuff to that employed to distinguish military petrol. A possible explanation is that the petrol may have been used previously for dry cleaning. Periodical examinations of samples of fresh milk from the Government Dairy at Yaba showed that the milk supplied was very satisfactory, chemically speaking, throughout the year. Bacteriological results however indicate that for drinking purposes it is most advisable to boil or pasteurise the milk before use.

Regular examinations of effluents from public water carriage tank latrines have been carried out since April as part of an investigation in tropical drainage, but it is as yet too early to assess results. Complaints regarding the quality of various samples of imported whisky were investigated. Several samples of whisky were reported as being of very inferior quality.

Education

Two important papers have been published during the year—the Reports of the Commissions on Higher Education in the Colonies and in West Africa respectively. As these titles imply, the two Commissions were related, the former dealing with general principles which the latter sought to apply to a particular area, West Africa.

It is unlikely that the recommendations of the Asquith Commission—to give it the more popular name—will occasion much controversy in Nigeria. Many of its proposals, in fact, are beyond our competence to criticize. One of the most interesting is the suggested formation of an Inter-University Council which shall act as guide, philosopher and friend to the young Universities and University Colleges of the Colonies. Indeed, some such body is necessary if our nascent institutions are to be brought into the broad stream of University life and thought. Without it they will be of stunted growth and may well dry up and wither. A second proposal which should be of much local interest concerns the granting of degrees. While our University College is, so to speak, *in statu pupillari*, degrees will be granted by London University which has appointed a special committee of its Senate to consult

the local colleges on their needs and requirements. By this device the prestige and consistency of a London Degree will be combined with the local touch.

The Commission's recommendations on University Finance are too technical to be examined here. One may note, however, that the formation of a Grants Advisory Committee to the Secretary of State is proposed on which the Colonies themselves will be represented. The Commission emphasizes the fact that higher education is a very costly article and, indeed, the sister Commission for West Africa estimates the total capital cost for our combined territories at about £1,500,000 and the recurrent costs at £250,000. These are very large sums and, in considering them, it may be well to make a suggestion which is seemingly novel to local opinion. It is this. If our University is to be autonomous,—and any University worthy of the name must be that—it is not seemly that it should rely entirely for its support on State funds, whether those funds derive from the British or from the local Government. There is a fine opportunity here for voluntary benefactions and endowments and, by availing themselves of this opportunity, wealthy individuals and corporations could very fittingly gratify such patriotic and philanthropic sentiments as they possess.

Turning now to the Commission for West Africa—more popularly known as the Elliot Commission—local interest is almost bound to be focussed on the serious cleavage of opinion between the Majority and the Minority Reports. The question is, as you know, whether British West Africa should here and now embark on a project for three University Colleges or for one. This is not the place to anticipate the final verdict but it may be permissible, and indeed desirable, to state a few canons which should be observed if a sound verdict is to be got. We should be quite clear, for instance, as to how far our judgment is swayed by considerations of patriotism and local sentiment. Such considerations cannot and should not be dismissed as irrelevant but they should be carefully distinguished from those of educational efficiency as such. Moreover it must be borne in mind that a large part of the costs will be borne by the much burdened British tax-payer and it is reasonable to assume that he will be more interested in efficiency than in local sentiment. As regards efficiency the Asquith Commission lays down an apparently unexceptionable criterion. 'The area', i.e., the area to be served by a University—'must be of sufficient extent; the test is neither size nor population, but capacity to supply an adequate flow of students able to profit from higher education.' Here the public may be misled by the widespread error that anyone who has passed the School Certificate examination is suitable for higher education. Far from it. A good sixth form standard, as that term is understood in the United Kingdom, is essential and we have to face the fact that not a single secondary school in Nigeria at the moment—Yaba, of course,

excluded—can produce that standard. In the Educational Development Plan recently submitted to the Secretary of State it was estimated that, even with a rapid improvement in secondary standards during the next few years, we should not count on more than 750 students becoming available for higher education during the next decade. It is a small number for so large and populous a country. Certainly this is a consideration that should be borne in mind when considering the two Reports.

On the other hand it would be easy to exaggerate the differences between the Majority and the Minority Reports. The Minority freely admit that West Africa will require more than one University as years pass; the Majority implicitly admit that three full-scale University Colleges are impossible for the time being since they propose to concentrate most of the "schools" in the Nigerian College.

As far as the direct activities of the Education Department are concerned the united recommendations of the Commission deal principally with secondary education, technical education and with the training of teachers. It may be of interest to note that this Government had to a great extent anticipated the Commission's findings on these heads and that proposals in broad harmony with them had already been submitted, or were in process of submission, to the Secretary of State. This harmony of course, was the result of something more than an inspired guess. There had been actual collaboration between the Commission and the Education Department. Nevertheless, it is true to say that both parties were thinking along similar lines, a consideration that should give extra weight to the Commission's recommendations.

The Educational Development plans are outlined in Sessional Paper No 24 of 1945, which was laid before this Council last December. The Technical part of the plan was also described in the Address to Council at the last March Session so there is no need to enter upon it here. It has received the approval of the Secretary of State and already good progress has been made in building the Trades Centre at Yaba. A suitable building for the Kaduna Trades Centre already exists and requires only a few modifications and additions. In the engagement of staff we have been as successful as we expected but less so than we hoped for men with technical qualifications are in very heavy demand in Europe. In this, as in most other departments of Government, development is conditioned by staff. The total cost of the plan during the decade is estimated at £1,536,450.

On the academic side a Development Plan was submitted to the Secretary of State in which the main emphasis was laid on the improvement of secondary education and on the training of teachers. In the address to the Council at the last March Session it was explained that for the next few years the secondary schools occupy the key position to further advance and that, given adequate

buildings, equipment and staffs, they are the part of the educational machine best able to take the strain of a sudden shock and stimulus. In this connection it is pertinent to quote some words from the Asquith Commission—'While it is beyond our province to make recommendations in such matters we feel bound to reiterate that the very possibility of a University is contingent upon the operation of well-staffed secondary schools. Where conditions are such as to afford no guarantee of this being achieved the attempt to set up a University may be either premature or entirely vain.' Nor is the efficient secondary school merely the basis of a higher education. From it, on the other hand, must come those men and women who are to be trained as effective teachers in the primary schools.

Here, perhaps, a warning is necessary. This insistence on the importance of secondary schools may easily increase a prevailing misconception in the public mind. It is improved quality much more than extended quantity that we must insist on during the next few years. An attempt to effect a large increase in the number of secondary schools will defeat its own end. According to present prospects the men and women available to staff such schools efficiently will be in short supply. We must concentrate and not dissipate our efforts.

The plan, therefore, provides for the extension of the Higher College and of existing Government schools, the addition of four new schools for boys and two for girls, and for liberal grants to some twenty-two schools owned by the Voluntary Agencies, fifteen for boys and seven for girls. It is hoped that these schools will reach an average total of 300 pupils.

It may be well to explain why this rather large average figure is aimed at. At present our secondary schools are dominated by the motive of passing the School Certificate Examination. The courses offered are not only of too low an academic standard but too confined in their range. Far too little opportunity is given for such subjects as art, music, physical culture, etc., which may be regarded as Extras in that they are not required for matriculation but which are still necessary for a liberal education. Now it is unlikely that for many years we shall be able to engage professional teachers for these subjects but the larger your normal staff the wider, on average chances, will be their range of interests and abilities. To put it another way we must rely in the gifted amateur to liberalize the regime. It follows that the schools, which it is hoped will be mainly residential, will need ample accommodation. There should be, for instance, an assembly hall sufficiently large to stage a play, a library spacious enough to enable senior pupils to learn the important art of reference, shops for manual work and maybe a gymnasium and a swimming pool.

Accommodation on such a scale is bound to be expensive and it is estimated that to build a complete Government School in permanent materials, including staff quarters and all permanent

fittings, we should need to spend about £130,000. This sounds an alarmingly high figure but there are certain modifying factors to be taken into account. If, as it seems not unreasonable to hope, the cost of building falls during the decade our charges will be correspondingly reduced. Again, to build completely in permanent materials means a heavy initial outlay but the structure will endure. It is generally agreed that "semi-permanent" construction is uneconomical in the long run and that in so far as permanent building is impracticable it would be better to put up cheap temporary accommodation which could be scrapped later without much loss. Thirdly, we have estimated for a "Sixth Form" which is a relatively costly item. The Elliot Commission recommends that Sixth Form work should be centralized, the majority would have it done at a University College and the minority at a 'Territorial' College. If this recommendation is carried into effect the cost of our secondary schools can be still further reduced but the fact remains that the Sixth Form will still have to be paid for somewhere or other. Taking all these factors into account, and remembering that for the next decade or so the country needs a first class secondary education for a few rather than the multiplication of School Certificate passes among the many it is thought that the estimate for a full Government School is not excessive.

The Secondary Schools belonging to the Voluntary Agencies fall into a different category. For various reasons these Agencies are able to build more cheaply but they still cannot afford adequate buildings, equipment, or staff. They are especially short of laboratory accommodation and scientific apparatus. The plan therefore proposes to pay an average grant of £30,000 to each selected school for additional buildings and equipment plus the equivalent of the salaries of four European teachers at Government rates. It is believed that this measure of assistance will enable the schools to improve their standards very considerably.

The Elliot Commission lays great stress, and rightly so, on the need for trained teachers, both secondary and primary. The majority of existing secondary schools have pitifully inadequate staffs and it is common to find teachers who themselves have attained to no more than the School Certificate. The position has actually worsened during the last year or two since the war time peregrinations of the Higher College have brought the training of teachers in that institution to a total standstill. Nothing can remedy this deplorable state of affairs within the next few years except the engagement of a large number of European teachers who will staff both schools and Training Centres until we can train the Africans who will eventually replace them.

The Commission is unanimous in the view that a secondary teacher should have a degree followed by a year's course of professional training or two years professional training following an Intermediate Pass. The majority would have the training done at a University College and the minority at either a University or

a Territorial College. There is much to be said, indeed, for making a training institution part of a larger whole instead of allowing it to function as an isolated unit in which the student will be compelled to associate entirely with men in his own walk of life. Nevertheless our needs are so urgent that we cannot await the establishment of a University or Territorial College. We have provided, therefore, for a secondary Training Centre which will train men and women for Government and Voluntary Schools.

The training of Primary Teachers also requires to be much expanded and improved. The qualification desired for such teachers is at least a good School Certificate standard—though it will be many years before we can achieve this—followed by a professional course of two years. The Minority Report of the Commission appears to recommend that primary as well as secondary teachers should be trained at the Territorial College but this, considering the number involved, entails an impossible degree of centralization in so vast a territory as Nigeria. Meanwhile, in any case, we propose to raise the quality of the existing Training Centres and to increase the number of Government Centres. Taking the Government Centres first it is proposed during the next decade to extend five existing Centres and to build twenty new ones. Some will be for men, others for women, and their capacity will range from 200 to fifty. There will also be four new Rural Education Centres to give agricultural courses to selected teachers.

Some comment is required on the fact that whereas we hope for a minimum capacity of 300 for our selected secondary schools we have allowed such a wide range of diversity for the Training Centres. This question involves considerations both of principle and practice. As regards principle there are two schools of thought within the Education Department. One school prefers, at any rate for rural teachers, a small Centre in essentially rural surroundings, and serving a restricted area. Such a Centre, it is argued, will stimulate local interest, so necessary for primary education and will give the teacher the environment in which he is destined to live, and move, and have his being. The other school argues, as has been argued previously about the secondary schools, that the smaller the institution the smaller the staff and, in consequence, the more meagre the bill of fare. We expect a great deal of initiative and resource in our rural teachers if they are to redeem the countryside and we must therefore give them a generous equipment for the task. This school maintains, moreover, that experience belies the assumption that the small rural Centre disposes a teacher to country life. It is at least arguable that for the Africans, as for some Europeans, a liberal education and a wide variety of interests may make a man less dependent upon the attractions, often shoddy, of the town.

Fortunately, however, we were not restricted in our recommendations to a mere choice between two sets of theorists. It is often forgotten that whereas a secondary school is self-

sufficient a training centre is dependent upon the local school population. This population varies greatly in density—and will continue to vary greatly for many years—a fact that imposes a drastic limitation on the sites and sizes of the centres. An idyllic natural site for a training centre is of little use if there are no adjacent schools in which the students can practise. By bowing to the dictates of expediency, therefore, we can also give the rival schools scope for the testing of their theories.

So much for the Government centres. The Voluntary Agencies already possess many institutions of the kind and it is proposed, as with the secondary schools, to assist them to improve their buildings and to engage qualified staff. As regards capacity the same considerations apply as for the Government centres. It is impossible to prognosticate the requirements of the several institutions. For convenience, therefore, the Centres have been arbitrarily divided into two types, large and small. The large centre will be given a grant of £40,000 for buildings and equipment, the small centre will be given £10,000. It is also proposed, during the decade, to pay for the salaries, at Government rates, of eighty European teachers who will be engaged from time to time as circumstances require. It will now be convenient to summarize the costs of the plan. For the Government institutions, both secondary schools and training centres, we propose to spend £3,697,300; of this £1,938,600 will be spent on buildings, £913,600 on European Staff and £845,100 on African Staff and other charges. As for the Voluntary Agencies we propose to spend for training centres £964,400; £520,000 on buildings and equipment, £444,000 on Staff; for secondary schools £1,185,640; £660,000 to be spent on buildings and equipment and £525,640 on staff. Adding £200,000 for the possible acquisition of military buildings the total cost of the plan is estimated at £6,047,340. Including the technical plan the total expenditure on education is estimated at £7,162,793.

It is considered that this is a reasonable sum to spend on the development of Education in Nigeria during the next decade. If the figure appears to be on the small side considering the great extent and population of this country it should be remembered that the value of money is in what it can buy. According to present prospects it appears unlikely that the amount of human skill and materials available for purchase will exceed the sum that has been provided. There is a limit to what one can usefully spend.

It will be observed that this plan of development provides for the engagement of many extra European staff. It is proposed to recruit this staff, for the most part at any rate, on short term agreements because it will be their chief task to train as quickly as possible the Africans who will eventually replace them. Apart from this consideration the short agreement has certain advantages. It facilitates the interchange of personnel between Europe and Africa at a time when these two regions have great need to know more about one another and it will keep the Department *au fait*

with modern methods and ideas in education. These points have been made by the Asquith Commission in reference to University staff but they are applicable to the lower levels also. Needless to say we shall still require a permanent staff which will strike deeper roots in the country.

It will also be noticed that we are relying on the Voluntary Agencies to play a large part in educational development. This is in accordance with the British tradition, a tradition which has been followed in Nigeria for many years. For although it is the practice of the modern State to supervise education more closely and to endow it more liberally it is certainly not in the British tradition that the State, whether through its central or local organs of Government, should be the owner of all the schools. Nevertheless, if the Voluntary Agencies accept the liberal subsidies that Government proposes to give them it is proper that Government should have a reasonable amount of control. At present, although the fact seems to be little realized outside educational circles, the amount of control that Government exerts over the Voluntary Agencies is remarkably small. Such control as there is is mainly effected by inspection but as the number of schools has grown rapidly while the staff of the Education Department has remained static or has shrunk inspection has become less effective. Now it is a feature of this plan that Government Grants will not be spread thinly over a great number of institutions but concentrated on a relatively few. This at least will make it easier to ensure adequate inspection and guidance. It may be found advisable to appoint Boards of Governors for institutions or group of institutions selected for assistance. Such Boards would not be executive bodies; their function would be to ensure that public funds were expended in the public interest.

It is hoped during the coming year to complete the building of the Yaba Trades Centre and to make a start with the course. The Kaduna Trades Centre, for which the buildings are already nearly complete, might start earlier in the year. It is doubtful whether more can be done for the Enugu Centre than to make a start with the buildings. It is also hoped to build the major part of a secondary school at Zaria whither the present Kaduna College will be transferred, to extend the Higher College as part of the proposed Yaba Technical Institute and to build part of a large Training Centre for Women teachers.

So much emphasis has been laid on higher and secondary education in this address that Honourable Members may wonder whether the lower but still necessary reaches have been left out of account. This is not the case. In the first place the plan of development intends a handsome contribution to the training of primary teachers which, it is hoped, will much improve the quality of the primary schools as the decade proceeds. Secondly primary schools and training centres are actually expanding at a fair pace though it is difficult to staff them efficiently. The Grant-in-Aid, much of

which goes to these schools and centres, has been increased this year by £93,000, exclusive of an additional £25,000 for Cost of Living Allowance to teachers. A further increase of £86,100 has been provided for the coming year which will bring the total up to £453,000. A re-assessment of schools in the Eastern and Western Provinces has been carried out in order to achieve a more equitable distribution of the Grant. The scheme followed was recommended by a special committee of the Board of Education and appears to have given much satisfaction. It will be necessary, however, to examine carefully the results of this re-assessment before Government can give it formal approval.

There are, indeed, some unhealthy features in the present administration of the Grant. In the first place a good deal of it goes to primary schools over which, for reasons that have been already mentioned, the Department has little control. Another substantial slice goes to the payment or part payment of teachers' salaries and Cost of Living Allowance. Now although these payments are made to the Agencies and not directly to the teachers it was almost inevitable that the latter should come to regard themselves as quasi-civil servants. They have in fact done so and lay increasing emphasis on their rights and claims on Government. This is not a happy state of affairs for although Government may accept a moral obligation to help these teachers it is not proper that it should be pressed to treat as its servants those over whom it has so little control. Indeed it is becoming clear that the rapid spread of primary education requires some form of Local Education Authority and that the method of the Direct Grant from the Central Government to primary schools is growing cumbersome and out-of-date.

Government has lately extended its educational responsibilities by publishing a scheme for the superannuation of non-Government teachers. Broadly speaking this scheme is in line with that adopted for Government servants. It provides, subject to certain qualifications and safeguards, that a certificated teacher who retires on a salary of £50 or more shall become eligible for an annual allowance and that one who retires on a lesser salary shall be eligible for a gratuity based on the length of his service. Arrangements have been made to include temporary service under Government or Native Authorities where this is in the public interest. The scheme will be made operative from the 1st April, 1945.

Government teachers, for their part, have shown an increasing disposition to regard themselves as a separate caste and do not coalesce readily with other members of their profession. They have not been silent about their grievances though these, in so far as they are reasonable, are concerned with the frame of their scales rather than with their average rates of pay. These scales, modelled on those of the clerical service, are not really suitable for teachers. The Department has had this matter in view for some time and has

made certain recommendations. It would make for greater harmony in the teaching profession if the scales of Government and non-Government teachers approximated more closely.

My address last March dealt with certain misconceptions in the public mind on the subject of Mass Education. This is a clumsy and hence misleading term though it is difficult to find a more precise term without running into a considerable amount of definition. It may not be out of place, therefore, to reinforce several points. The relevant State Paper did not intend compulsory schooling for all. On the contrary, it advocated voluntary teaching and voluntary learning for those, mainly adults, who had not had the privilege of attending school. Nor did it contemplate a simultaneous attack on the whole body of uneducated adults. It contemplated a series of efforts to attract the public in areas which appeared to promise a popular response. Once more, mass education was to be more than mere literacy though literacy was to be a necessary condition. If one reads and writes one must read and write about something. The idea is to take one or more themes which are of great interest in the area selected and to make of these the literary staple. The themes will naturally vary from place to place and so will fall within the province of more than one Department of Government. Where, for instance, cattle are the absorbing interest the Veterinary Department should be in evidence; where it is a matter of soil erosion or the cultivation of cocoa the Agricultural Department might be asked to lend a hand. In certain cases the predominant theme may transcend all Departments for it is on record that the women in a certain district of the Eastern Provinces were moved to learn their letters in order to write to warrior husbands and admirers overseas.

It should be clear, therefore, that Mass Education requires a concerting agent, and for this role the State Paper designated—to use an even more dreadful term—the Mass Education Officer. He has not yet arrived on the scene. When he does it will be his business to link the efforts of all the willing parties. There may not be many of him. A small General Staff is required and it is hoped that two or three Officers of the Education Department who have taken part in the education of West African soldiers will soon be available to form the nucleus of such a staff.

Meanwhile events have anticipated the Mass Education Officer for a good deal of adult education, especially in literacy, has been carried out by enthusiastic voluntary workers in various parts of the country. This has ranged from a very successful and popular campaign in the Udi District of the Eastern Provinces, under the direction of the District Officer, to the modest efforts of students in Government Colleges to take in hand the college servants and their wives. In the Northern Provinces much steady work has been done through the 'Classes of Religious Instruction' which most of

the Missions conduct. As might have been expected the degree of success has varied greatly and some of the seed has undoubtedly fallen on stony ground.

Finally I would say that Mass Education, although from the very nature of the case it be rough and rude, is a necessary if unofficial part of the Development Plan. For if the work of our intended university graduates and professional men is to bear fruit they will need a public sufficiently alert to receive what they have to give.

Educational staff, both Government and Missionary, has been short through the drain on man power and the difficulty of passages. Recently, nevertheless, the position has somewhat improved. For the Department we have been able to recruit a number of women both local and from England who have strengthened the staff of the secondary schools and the provinces. The Northern Provinces have been hard hit and owing to a number of unexpected casualties several provinces have been without an education officer for months at a time. Even here prospects have become brighter and provision has been made in estimates for a dozen European Schoolmasters to strengthen the Middle Schools and Training Centres. Meanwhile Government and Voluntary Agencies have deliberately depleted their African staff in order to give promising men and women an opportunity for further reading and training. Twelve intended secondary teachers are taking an Arts Course at Ibadan and there are thirty-seven teachers in the United Kingdom reading for degrees or attending the Colonial Institute of Education. Although, as has been previously explained, the supervision of the growing mass of primary schools has become more difficult the recent increase in the senior inspectorate has allowed a much more adequate inspection of secondary schools and training centres. In particular there has been a very thorough investigation into the teaching of science in the schools, a matter that requires considerable attention.

If little has been said regarding the education of women this should be taken as a healthy sign. They can now be treated with the men and not relegated to a special sub-section. They have, of course, much leeway to make up and, in the matter of staff are bound to suffer from the peculiar difficulty that the professional life of a woman, especially of an African woman is apt to be short. To some extent, on the other hand, the wastage can be offset by married women returning to the profession after a period of retirement. In spite of the general shortage it has been found possible recently to strengthen the staff on the women's side. A Senior Education Officer has been appointed for the Northern Provinces and one Education Officer to the Eastern Provinces and Cameroons respectively. It is a sign of the times that early provision has been made for a Women's hostel at the Higher College and that one of the recent scholarship winners at the College was a girl from Queen's. In many areas there has been a large increase in the

number of girls at school and from most parts of the country come demands for Domestic Science centres. Provision has been made in next year's Estimates for a substantial increase in these centres. Most significant, perhaps, is the increased interest in the Mohammedan North where in several provinces girls are now going on from the elementary to the middle schools. From parts of the Eastern Provinces it is reported that women have shown a greater interest than men in the movement for literacy.

Finally, I should like to make a few general remarks about the Northern Provinces. If by education you mean formal schooling according to Western ideas this great area has been relatively backward and this is true both of the solidly Mohammedan and very homogeneous society of the far North as well as of the Middle Belt with its varied religions, tribes and tongues. But this state of affairs is now changing. The younger men, especially, are beginning to enquire why, seeing that they pay so large a proportion of the taxes, the Northern Provinces receive such a tiny fraction of the Grant-in-Aid. They are apt to complain that Government has neglected them all these years and, if twitted with the obstinacy of their fathers, to maintain that Government, like the rich host in the parable, should have searched the highways and byways and compelled them to come into the feast. Honourable members will probably hear much more about the education of the Northern Provinces in the near future.

Land and Survey

Land Branch.—Consequent upon the approval of schemes under the Colonial Development and Welfare Act and of other Government undertakings, the acquisition of a large amount of land has become necessary. In the Colony twenty-six areas and in the Southern Provinces twenty areas have been, or are in process of being, acquired under the Public Lands Acquisition Ordinance.

Since V.J. Day the vacating by Service Departments of requisitioned and other premises has accelerated, and the number of new requisitions under the Defence Regulations has decreased. In the period under review there were five new requisitions in the Colony and nine in the Protectorate. During the same period thirty-one premises in the Colony and twenty-seven in the Protectorate have been de-requisitioned.

There has been a substantial increase in the number of applications for building sites. That these applications have been met only partially in the Colony has been due mainly to shortage of materials for the construction of new roads and the continued use by the military of large areas of building land. Applications for leases of plots in the residential areas at Ikoyi and Yaba number twenty-eight and 195 respectively.

During the eight months ending on the 30th November, 1945, thirty-four Crown leases were granted and the freeholds of twenty-seven plots (in Yaba Estate) were sold for parcels of land in the

Colony. For lands in the Southern Provinces, thirty-six Crown leases were issued and 101 leases affecting lands subject to the Native Lands Acquisition Ordinance were dealt with. Seven Certificates of Occupancy were granted under the Land and Native Rights Ordinance for parcels of land in the Cameroons.

In the Lagos Land Registry the first registration of ninety-nine freehold and seven leasehold properties and 164 various transactions affecting registered lands were dealt with under the Registration of Titles Ordinance. 1,337 instruments affecting land in the Colony and 604 affecting land in the Southern Provinces were registered under the Land Registration Ordinance.

Survey Branch.—During the year observations on the primary trigonometrical framework of Nigeria, which had been suspended after the 1939 season owing to the absences of surveyors on war service and the necessity of concentrating the small available staff on work connected with the war effort, was resumed. A party started observing on the Lafia-Ogoja chain and by the end of the observing season only four stations of that chain remained to be occupied.

Precise levelling was continued southward along the Eastern line of the Railway. By the end of August, when this work had to be discontinued for the year, the levelling had reached the fundamental benchmark at Aba. A fundamental benchmark has also been constructed at Port Harcourt to which levels will be run when the work is resumed.

There has been an appreciable falling off in the number of mining areas surveyed during the year. During the eight months ending on the 30th November, 1945, forty-nine surveys of mining areas had been received from Government surveyors and 114 from licensed surveyors.

An extension of the Ikoyi Residential Area was demarcated and surveyed and a site has been laid out and surveyed on the Ikoyi Road for a United States of America military cemetery. Land to be acquired for a water supply scheme at Agege was surveyed.

In the Northern Provinces the most important work undertaken was the demarcation and survey of five blocks of plots in the Nassarawa Government Residential Area at Kano. The survey for additional 200 feet to one inch sheets of Jos continues.

In the Eastern Provinces surveys were carried out of lands to be acquired for extensions to the Government Stations at Abakaliki and Ikot Ekpene and for water supply schemes at Onitsha and Abakaliki. Work was continued on the survey and demarcation for the Forestry Hill colliery housing scheme at Enugu. A surveyor has started work on the survey of lands to be used for an agricultural re-settlement scheme along the route of the new Mamfe-Calabar road.

In the Western Provinces the most important surveys were those of land acquired for a Government Station at Ife and an extension to the Government Station at Kwale, and of an extension to the Government Residential Area at Ibadan. Sites were also surveyed for a Post Office and an extension to the African Hospital at Ijebu-Ode, for an Elementary Training Centre at Abraka, and for Clerks' Quarters, Homes for Destitute Persons and an extension to the European cemetery at Warri.

One European surveyor was employed throughout the year as instructor in elementary surveying of a class of Native Administration Settlement Officers at Kano. The students were sent from Native Administrations all over the Northern Provinces. The training which they receive should make them very useful for such work as the re-planning and lay-out of towns and villages and simple surveys for agricultural purposes. The need for persons trained for such work has been realised for a long time and arrangements are being made to start another class in the spring of 1946.

Drawing Offices.—In the Lagos Drawing office the following work was completed:—

(a) Tracings for revised edition of the 1/2,000,000 Map of Nigeria.

(b) Drawings for two sheets for revised edition of the 1/500,000 map of Nigeria. These sheets completed the fifteen sheets of the map.

(c) Drawings for reprint of Alawa 1/125,000 standard topographical sheet.

(d) Fifteen sheets of the 200 feet to one inch maps of Enugu, Kaduna, Onitsha, Sapele and Zaria brought up to date.

(e) Three sheets of the revised eighty-eight feet to one inch maps of Lagos completed.

(f) Other work included the preparation of 166 title deed plans, 226 tracings for Land Registries (including replacement of records lost by fire at the Warri Lands Registry Office), the colouring of 826 prints, and about 100 miscellaneous items.

In the Jos drawing office 156 tracings for title deed plans have been prepared. All priority sheets are kept up to date.

Lithographic Section.—The following were the most important maps printed during the year:—

(a) The new edition of the 1/2,000,000 map of Nigeria.

(b) Ten sheets completing the fifteen sheets of the new edition of the 1/500,000 map of Nigeria.

(c) Reprint of three of the 1/125,000 standard topographical sheets of Nigeria.

(d) Reprint of eighteen sheets of the 200 feet to one inch township maps of Aba, Kaduna, Sapele and Zaria.

(e) Three sheets of the revised edition of the eighty-eight feet to one inch map of Lagos.

511 requisitions by other departments for small numbers of prints were completed. 24,600 prints were supplied on military requisitions.

The total quantities of work done to date were as follows:—

Number of plates prepared	...	...	962
Finished printed copies	...	...	44,004
Number of impressions	...	...	162,141
Sunprints	...	...	865
Flat mountings	...	...	889
Pocket form mountings	...	...	176

The senior class of four Higher College students who started their training in surveying at the Oyo Survey School in January 1944 completed their course in December 1945. All four were successful in the diploma examination and have been appointed to posts in the Department. Eight other students are taking their course at the Yaba Higher College and a new class will start in January 1946.

This is a period in the progress of Nigeria when a great number of new projects of development are being undertaken at very short notice. It is, therefore, a period when it would not be in the best interests of the country for the Survey Department to decide on a rigid programme of work to suit its own convenience. The majority of development projects require survey in some form or other. Sometimes boundaries of land to be acquired have to be surveyed, sometimes land has to be subdivided for various purposes and at other times what is required is a survey of the topographical features.

In order that the best use can be made of the relatively small staff of the Department it has been arranged that the order of priority for survey will be very carefully considered by the Area Development Committees for necessary work connected with the projects in their areas and that the Central Development Board will then if necessary decide on priorities between projects in the different areas. It is hoped and expected that the necessary surveys can be carried out without undue delay in the order of priority allotted by the Central Development Board.

It is hoped that it will be possible to continue work on the primary triangulation which it should be possible to complete in two or three seasons according to whether more than one party can be detailed for the work. It is also hoped to continue the precise levelling.

The training of settlement officers of the Northern Provinces in elementary surveying will also be continued and it is possible that similar courses may be arranged for the Native Administrations of the Southern Provinces.

The topographical survey by air photography of Nigeria as a whole is a matter on which correspondence is taking place. It is hoped that this Department will do its share in the production of the topographical maps.

Forestry

The most important event of the year 1945 for the Forest Department was the statement of the Government's Forest Policy, bringing up-to-date in concise form the policy initiated by Lord Lugard with the advice of Mr H. N. Thompson, C.M.G., Director of Forests, in his Memorandum No. 13 Forestry (Political Memoranda) of 1918. There has been a tendency, with the passage of time, for the original policy to be lost sight of and without such a guide steady progress towards a definite goal has inevitably become confused. The restatement of policy has already had considerable effect in canalizing the activities of the Department and it has formed the basis of the Forestry Development Plan which covers the next ten years.

This Development Plan requires the acceptance of the Province as the Forest Working Unit, a definite sequence of forest operations, each phase of which must be completed in the working unit before the next is embarked upon, and the arrangement of Provinces in an order of priority for staffing and attention, a course which is made necessary by the fact that owing to training difficulties the recruitment of the forest officers necessary to implement the Plan must be spread over a period of ten years. The Plan makes no attempt to aim at the spectacular and is nothing more than a prosaic but very essential administrative programme to complete the sound foundation upon which the forest management of the future must rest. Without such a foundation there can be no real achievement.

The very satisfactory progress which has been made in the management of the Benin Forest during the year, reference to the preparations for which was made in my address last year must also be commented on. The exporting timber firms and the Forestry Department were faced with the problem which arises sooner or later in every young country, when the selective exploitation of the accumulated interest, in the form of stands of mature timber, of natural forests reaches the point where strict control must be imposed if the forest capital is not to be encroached upon. Much detail remains to be settled but in the case of the largest firm operating, the United Africa Company, the change to controlled working is to all intents and purposes complete. It is gratifying to record that most cordial relations have been maintained between the firms and the Forest Department during this critical phase. It has been found inequitable to deal as strictly with the smaller African firms which lack the necessary capital and

skill to accept a close control of felling, but it is particularly desirable that they shall be kept in business and no pressure has therefore been applied to them.

Natural Regeneration operations have been carried out in the Benin forests on a large scale in accordance with the proposals for management under a uniform shelter-wood system, useless trees whose shade would interfere with the growth of the young seedlings being removed by frill girdling and poisoning with sodium arsenite. It is too early to report upon the success of these operations, for a period of some fifteen years must elapse before the young natural growth can be regarded as finally established, but first indications are promising. An area of 40,000 acres was treated during the year. Extension of existing plantations amounting to some 1,700 acres for the year in various areas has been continued as a matter of routine.

The most important production work handled directly by the Department continued to be the supply of timber sleepers, mainly from the Ondo forests, for the relaying of the Jebba-Minna section of the Nigerian Railway, an effective volume of 352,262 cubic feet being produced as against 187,156 in 1944. The order could be completed at the end of the present financial year but the last stages must be spread over several months more to allow for a dispersal of the very large concentration of labour in the Ondo forests. This course is also desired by the Nigerian Railway which is finding some difficulty in handling and treating sleepers at the maximum rate at which they can be produced. The quality of the sawing continues high and the labour force employed, as well as the officers who have organized the work, deserve the greatest credit.

Production indirectly controlled by the Department can be dealt with briefly. Wild Rubber production for all practical purposes ceased during the year, as was expected, no more than 117 tons being recorded up to the end of August as against a total of 1,150 tons exported in the previous year. No timber was supplied directly to the military forces during the year but 172,389 cubic feet were supplied to the mines as against 193,200 cubic feet in the previous year and 2,768,000 cubic feet were used locally against 1,720,800 cubic feet in 1944 and 2,038,592 cubic feet in the previous year. Fuel taken under forestry control amounted to 1,693,390 stacked cubic feet for the military as against 1,878,788 in 1944, 496,780 for the mines against 1,112,100 in 1944, an expected further decrease due to the disappearance of the necessity for the mines to supply firewood for selected labour. Local consumption accounted for 4,234,000 stacked cubic feet of fuel against 5,850,000 in the previous year. The provisional estimate of fuel taken free by the peasant population remains at 2,000,000,000 cubic feet but the figure cannot, in the absence of accurate data, be relied on.

The Departmental Research Yard Workshop was reconstructed for a return to normal working and therefore produced only 2,080 cubic feet against the 18,000 cubic feet special war-time production of the previous year.

The Pilot Sawmill at Aponmu produced 60,414 cubic feet against 80,000 cubic feet in the previous year and the latest balance sheet to the 30th September, 1945 showed a net loss of £977 9s 9d since the inception of the scheme. For a large part of the year the mill was under African supervision but output fell and production costs increased from 2s 1d to 2s 6d. It has become increasingly clear that the Mill is too large a unit to be handled satisfactorily by an African without continuous European supervision and advice, although it is too small to bear the cost of European management without what amounts to subsidy by Government. As was expected, prices had to be increased and it is doubtful if they can be a great deal lower than those of the Ijora Public Works Department and other commercial Mills if the Pilot Mill is to be managed as a genuinely profitable commercial venture. It continues, however, to perform a very useful function in supplying the lower grade timbers and in meeting a strong local demand. It is also of great experimental value in determining the degree of control which it is practicable to apply to commercial firms in the new system of control by limiting the area felled each year and of linking exploitation with regeneration of the forest. From these points of view the project has been well justified.

Exports of timber are expected to show a decline from 2,753,000 cubic feet in 1944 to some 2,227,000 cubic feet, the fall being probably due to the shipping situation. 84,000 shingles were sold locally against 24,000 in the previous year, an increase which does not call for comment as the demand is still very capricious. The Departmental plantations produced 232,400 poles against 208,300 in 1944.

The great bulk of Minor Forest Produce is taken free and cannot be recorded by the Forest Department but of that which is recorded some 1,947 tons of Gum Arabic was produced during the year. The shipping of this product continues to give rise to some anxiety lest accumulation of stocks may cause a check in buying. 175 tons of Kapok were produced, 900 tons of shea nuts, forty-one tons of Beeswax and 121,200 lbs of wild honey.

The Revenue received by Government amounted to £47,460 against £52,330 in 1944 this latter figure being amended from that quoted in my last address by revenue subsequently accounted for as a credit to Government, and by Native Administrations to £66,700 against £59,500 in 1944. The gross forest revenue is therefore £114,160 against an amended total of £111,830 in 1944. Expenditure by Government amounted to £96,000 against £86,000 in 1944 and by Native Administrations to £44,600 against £40,600 in 1944.

It would not have been surprising if the revenue had shown a slight fall with the diminution of war demands, and the small increase is encouraging in that it has occurred during a year of stricter control and may well therefore be maintained.

The increase of Government expenditure, which regains its 1943 level, does not call for comment and is due to a resumption of normal activities. The slight increase of Native Administration expenditure was due to the increased part played by Native Administrations in Forest control.

The Forest School suffered from the lack of European staff but two Forest Supervisors were appointed and one Forest Supervisor was fully trained for the Sierra Leone Government. One man failed to pass out. Two Government and one Native Administration Forest Assistants passed out and another four have almost completed their course; two returned to Forest Guard rank as unsuitable for the higher grade and four failed to complete the course. It is satisfactory to record that the best men from the Forest School have proved extremely competent and useful, but a certain difficulty is still experienced in finding applicants who possess the educational qualifications necessary to absorb the training and are at the same time prepared to endure hard conditions in the field which are the normal lot of any forest officer. An expansion of the school is contemplated to increase the strength of the Intermediate staff which has already shown itself to be indispensable under modern conditions.

The general European staff situation could not be relieved by recruiting during the year, but progress in Research was resumed on the return of the Forest Botanist from a course at Oxford towards the end of the year. The important task of consolidation of Reserves made good progress during the year, particularly in Benin where it is approaching completion, and in addition 176 square miles of Reserve were added to the forest estate.

The implementation of the Development Programme during the year depends primarily upon the increase of European staff but the most important preliminary work will be the training of the African staff, clerks and Forest Assistants. It is not proposed to bring any new areas under close forest control during the year but rather to consolidate what has already been achieved. The organization of planned working will be completed during the year in Benin and commenced in Ondo.

The fuel question in the treeless parts of the Jos Plateau has been investigated and it appears that the immediate solution lies in the organization, with cutting of areas in rotation and coppice regeneration, of savannah woodland on the northern slopes of the Plateau. It is proposed to commence this work during the coming year. The matter of timber supplies in the Northern Provinces generally will also receive attention. It is now clear that the local demands of the peasantry there as a whole must be satisfied in

the main by small sized timber produced from the savannah woodland, but real progress must depend upon the availability of portable resaw benches which can handle the small timber of the savannah, or pitsawn fitches where heavy timber from the fringing forests is concerned. It is to be hoped that this machinery may become available during the year but this is not at all certain. Throughout the North stress will be laid upon rotational cutting of firewood with regeneration by coppice in defined areas rather than the aimless exploitation practiced at present which has the inevitable result that firewood supplies progressively recede from any centre of increasing population.

Mines

The war security ban on the publication of statistics of mineral production and exports was removed in June, 1945, and quarterly publication was resumed in the Nigeria Trade Report.

The new Minerals Ordinance, Mineral Regulations, Safe Mining Regulations and Explosive Regulations became operative in February, 1946, providing new safeguards for owners and occupiers of mineralised land and increasing the powers of the Mines Department.

Tin.—All tin ore produced was purchased by the Ministry of Supply. There was a gradual falling off in production on the cessation of hostilities in Europe, due mainly to the larger companies re-organizing their mines preparatory to the resumption of economic mining on the expiry, at the end of 1945, of the Ministry of Supply contracts guaranteeing the maintenance of previous average profits per ton.

It is anticipated that the gradual decline in cassiterite production will continue. Contributory factors are the degradation in the grade of ore reserves by the exhaustion of the richer deposits, the greater depth of the remaining deposits, increased labour costs and the necessity for companies to divert staff from winning to prospecting, neglected during the war in the interests of maximum production. This decline may be offset to some extent in future years if prospecting and development prove the existence of economic deep-lead deposits underlying the basalt and fluvio-volcanic rocks of the Plateau. Plans are in hand by certain operators for this work but it will be some time before suitable drilling machinery will be available. Plans have also been made by one company for an aerial survey to be made of certain parts of Plateau Province with the object of locating promising areas for close ground prospecting.

Columbium.—With the gradual completion of the retreatment of tailing dumps at ore dressing plants columbite production was below the record of the previous year. The United States of America continued to be the only market.

The retreatment of dumps at ore dressing plants may be completed during the coming year and there will be a further decline in columbite exports. There is no reason to believe that all market requirements will not be met from current mine output plus tailing retreatment.

Tantalum.—The output of tantalite practically ceased with the end of the war in Europe. All production went to the United States of America.

Gold.—The Restriction of Gold Mining Regulations were repealed in February, 1946, permitting the resumption of prospecting on existing exclusive prospecting licences and leases and the consideration of all outstanding frozen applications for mining land. At the same time prospecting for gold was prohibited by declaration under Minerals Ordinance. The rates of royalty were altered by the new Mineral Regulations.

It may be possible to reopen Nigeria to gold prospecting during the year 1946-47 but this must depend on the Mines Department staff being brought up to establishment. It is hoped that more efficient and adequately financed mining groups will become interested in the development of Nigeria's goldfields than has been the case in the past.

It is hoped that the present attenuated Mines Department Inspectorate staff will be strengthened during the year as qualified men are released from the forces. Until this occurs closer supervision of mining operations, the suppression of gold smuggling and the more advanced training of the African technical staff of Beacon Inspectors and Mines Rangers will be difficult.

Colliery

Once again the Colliery has broken all previous records for output, the output for the year 1944-45 being 668,158 tons, this being an increase of 139,738 tons over the previous record. To produce this output the labour force was increased by 869, the total labour force now being 6,219 of whom 1,465 are housed in the Colliery Housing Estates.

The trade dispute declared to be in existence in 1944 was settled by arbitration in 1945 but because the labour did not agree with the Arbitrator's decision they refused to work on the conditions of the award with the result that what was, in effect, a strike, was declared. The labour eventually resumed work under the conditions of the Arbitrator's Award but the Colliery Manager, knowing that the labour were more dissatisfied with this Award than with their previous conditions of service, arranged with a Committee of Workers' Representatives, to replace the Award by a mutual agreement. This Agreement became operative in June, 1945, and since then the labour have worked well. The strike of the Colliery labour and the General Strike interfered with output, but by the end of the calendar year the monthly output was back to normal.

During the year, with the exception of the Lady Welfare Officer and the Colliery Accountant, all vacancies in the European staff have been filled and this has helped considerably in dealing with the very difficult time during which the Colliery has passed during the year.

Because of the demand for increased output, the underground development of the mine has proceeded at record speed and this, together with the closing of the districts near to the Iva Mine Level (due to geological disturbances), placed a strain on the mine haulages which these haulages were not capable of carrying for more than a very limited period. To overcome this difficulty the New Obwetti Mine was started on a temporary basis (the permanent new plant will be installed in 1946) using underground conveyor equipment. This mine, in its second week, was dealing with an output of 1,200 tons per day without any undue difficulty.

Work was started during 1945 on the New Valley Road Housing Scheme and a temporary camp was built to accommodate 500 men until such time as the Valley Road Site is ready.

Development Programme.—The complete mechanization of the mine, particularly on the coal face, has been approved, with a view to decreasing production costs, and the first stages of this mechanization are now in hand, including the training of African personnel to handle the machinery.

Approval has also been given for the purchase of deep core boring equipment to be used to prove the coal measures between Enugu and Onitsha; this equipment will be ordered early in the New Year and it is hoped that it may be possible to start boring operations by the end of 1946.

The proposals for the installation of carbonization and briquetting plant has been thoroughly investigated and it has been decided that this proposal be held over, at any rate until such time as prospects of obtaining better quality seams have been proved by drilling operations.

Lignite.—By the end of 1945, more than 200 tons of lignite had been mined from the Oba district near Onitsha and Administrative Officers in this area are now trying to popularize the use of lignite, as an alternative to wood, as a domestic fuel. If the population of the Onitsha district show any real desire to use this lignite, it is proposed to start a small mine in the Nnewi area, where the outcrops of lignite are considerably thicker than in the Oba district.

In view of the fact that the mechanization proposals will require many more highly trained African staff, the number of Trainees in the Training Scheme which was started in July, 1944, has been increased and all these Trainees are showing considerable keenness in their work and studies. One member of the African

staff has already been sent to the United Kingdom to study Mining Engineering and it is hoped that it will be possible to send one member of the staff, each year, for several years, so that we can get a nucleus of highly trained African Staff, who are sorely needed in the Colliery.

Geological Survey

The various activities of the Geological Survey Department have been carried on during the year with depleted staff and shortage of equipment.

The Department has endeavoured to aid in the production of minerals of importance to the war effort, and considerable progress has been made with the re-mapping of the Plateau Tinfields. An Interim Report and revised geological map is to be issued shortly. Arrangements have been made for the appointment of a Mining Geologist who is expected to assume duty early next year. A preliminary investigation of the lignite deposits in Onitsha Province has also been carried out, and work is proceeding on the revision of the geology of the Upper Coal Measures.

Substantial progress has been made with the Rural Water Supply programme under the Colonial Development and Welfare Scheme in Kano, Katsina, Bornu, Bauchi and Sokoto Provinces, but owing to the shortage of staff and equipment it has been decided not to attempt work in Niger, Ilorin, Kabba, Adamawa and Benue Provinces until the coming year. There is little hope of making any progress in the Eastern and Western Provinces until adequate staff is available.

Continued difficulty has been experienced in obtaining materials and equipment, especially drilling rigs, which are urgently required for boring in Bornu, Bauchi and Owerri Provinces. However, it is hoped that this equipment will become available early in the year.

One of the bore-holes at Maiduguri has recently struck artesian water which has risen to the surface under its own pressure. This may have an important bearing on future water supply development in Bornu Province.

Public Works

It was originally hoped that 1945-46 would provide the opportunity for consolidating and building up the organization to meet post war demands and at the same time overhaul the general maintenance organization which had suffered from the rush of military works during the war years.

Unfortunately it has not been possible to carry out these good intentions to the extent hoped for, the principal reasons being difficulty in recruitment especially among Engineers and delays in receipt of stores of certain classes from the United Kingdom. The

strike in June and July which affected some 25 per cent of the total labour force employed on Public Works throughout the country not only resulted in the loss of six weeks work on works directly affected but, owing to resultant congestion on the Railway and delays in supply of stores to up-country stations, adversely affected progress of works elsewhere.

However, some progress has been made with the building up and strengthening of the Departmental organization and schemes have been prepared for re-equipping and extending the workshops and stores in Lagos and the Provinces. Some progress has been made in decentralization. It is improbable that the target of £600,000 for Public Works Extraordinary will be attained; it is likely that the final figure will be £500,000. A small start has also been made with Development works particularly feeder roads and improvements to existing roads required in anticipation of a considerable increase in motor traffic now that the war has ended. A great deal of work has been done in the preparation of development schemes both in Headquarters offices and by Provincial Engineers in connection with Provincial Development committees.

Recruitment of European staff both to fill vacancies and for additional posts has been very patchy. Civil, Electrical, and Mechanical Engineers have been very difficult to obtain and numbers recruited have not been sufficient to keep pace with casualties. For a greater part of this year some important duty posts at Headquarters and in the Provinces have remained unfilled. Four new Architects were recruited and have helped considerably to make up the arrears in building design but the full benefits will not be obtainable until next year when the new men become accustomed to West African conditions. Three Town Planning Officers were obtained; unfortunately one has since died. Very considerable assistance in Town Planning was received from the Town Planning Adviser to the Resident Minister before that office was closed in September, and a number of excellent preliminary reports and plans has been received mostly for Towns in the Eastern Provinces. The supply of Inspectors of Works has been a bright spot and for the most part it has been possible to keep duty posts filled and in the case of water works to do a great deal towards overhauling the maintenance organization.

To augment the efforts of the Departmental staff the Director of Public Works was able while in England to arrange for assistance from Consulting Engineers and the Crown Agents in the carrying out of surveys and preparation of plans and specifications for selected urban water supplies, major bridges, and certain hydro-electric investigations. The advantage of such arrangement is that, while none of the schemes in question are beyond the abilities of the Engineers of the permanent staff, there are not enough of them, and the field for recruitment is widened considerably as there are always a large number of Engineers who would

rather work for Consultants than enter a Government service. Some assistance is anticipated from the Road Research Laboratory of the Department of Scientific and Industrial Research, and the Director has offered to send out two of his staff for short periods in 1946 to assist with the reorganization of the Headquarters Laboratories.

Practically no progress has been made in developing the carrying out of complete building works by contract. The disturbed state of the labour market no doubt makes the more reputable firms nervous. As usual a very large volume of work has been carried out by petty contract.

The Electricity Branch in spite of difficulties has managed to keep all stations working throughout the year without serious interruption notwithstanding the strike when, with the aid of military personnel and volunteers, supplies were kept in operation. In addition, it was possible to complete the installation of the third extension of Ijora Power Station with the installation of another 5,000 K.W. turbine and generator and the installation of another 1,000 K.W. generating set ex-Lagos at Enugu. During the year the services of the Electrical Engineer-in-Chief were made available for advising on projects in the Gambia and Cyprus.

The African Staff has been kept up to strength and it was possible to maintain the courses of instruction in the Headquarters School for technical staff without interruption. Candidates for the technical staff have been forthcoming in sufficient numbers to permit the policy of gradual expansion to proceed. Difficulty is being experienced in finding suitable men to fill vacancies in the recently created grade of Foremen.

As anticipated the volume of work for the Army and Air Force has been greatly reduced and the total for the year is not likely to exceed £100,000 which by comparison with former years is very small indeed.

An unusual feature of the year's programme has been the similarity in volume of expenditure between the Northern, Western and Eastern Provinces and Lagos Division all four being very nearly equal.

The principal maintenance service of Roads, Buildings, Electricity and Water Supplies Electricity and Aerodromes have been satisfactorily carried out though, with more supervision, there is no doubt that improvements could be effected in many directions. The difficulty in finding suitable candidates for the Foremen grade as mentioned above has a direct bearing on this problem.

The portions of the Development Plan with which this Department is directly concerned are the Schemes for Roads, Urban Water Supplies, Electricity, Buildings, Anti-Malaria drainage, the buildings in the Leprosy Control Scheme and, in conjunction

with the Geological Survey Department, the Rural Water Supply scheme. Owing to various delays 1946-47 will, in effect, be the first year of the plan and work will consist very largely of the carrying out of surveys and preparation of plans and estimates. Nevertheless some progress can be made on a number of items for which plans are available but the extent will depend entirely on the staff position. Work on a number of feeder roads and the Bansara-Mamfe and Calabar-Mamfe Pilot roads will continue, as will also the bituminous surfacing programme. Urban Water Supplies present a more difficult problem but if staff is available work can be carried out on such schemes as Minna, Warri and Sokoto. In Electrical development it is improbable that any entirely new schemes can be started but work can be continued on the extension of the existing undertakings at Lagos and Port Harcourt. The extent will depend upon availability of materials. It is also hoped to re-start and extend a school for electricians and engine drivers. It is anticipated that it will be possible for work on the Building programme to keep pace with the programme.

The Nigerian Railway

The revised estimates of Railway revenue and expenditure for 1944-45 show that the earnings are expected to fall short of the approved estimate by £329,000 and the expenditure on revenue account to show savings on the approved estimate amounting to £64,010. That is, the earnings will be £3,483,000 instead of £3,812,000 and the expenditure on revenue account, which includes a contribution of £430,000 to the Renewals Fund, £2,496,740 instead of £2,560,750. The result will be, therefore, that the estimated sum to be transferred to the Net Revenue Account will be reduced from £1,251,250 to £986,260, a decrease of £264,990.

To the sum of £986,260 carried to the Net Revenue Account will be added the interest on investments held in respect of the Railway Renewals, Reserve and other funds, together with various small sums of miscellaneous revenue amounting in all to £167,150, and making a total credit to Net Revenue Account of £1,153,410. From this latter sum the Railway will have paid to Government by way of interest on loans for capital expenditure £949,550, and will have incurred approved expenditure on additions and improvements not chargeable to capital, and other non operative expenditure, amounting to £77,680, making in all £1,027,230. An additional item of expenditure this year is the sum of £35,000 additional contribution to the Pensions Reserve Fund necessitated by extending pensionable status to 2,500 additional African staff.

The shortfall in revenue is due almost entirely to the strike, for, in addition to a direct loss of £375,000 in revenue during the period of the strike, the reduced locomotive repair output and consequent limitation of the Railway's ability to handle the traffic

offering during the latter part of the year have resulted in the loss of a further considerable sum in revenue which might have been earned had there been sufficient locomotive power available. The strike cannot be held completely to blame for the shortage of locomotive power; the war years with their consistently heavy traffic and shortage of spare parts have played their part but, had it not been for the strike, the hauling capacity of the Railway this produce season would probably have been 85 per cent of that of a year ago, instead of 60 per cent. This reduction is serious enough in its financial implications—it represents a curtailment in revenue of £30,000 per week—but the adverse effect upon the evacuation of produce to the ports is an aspect which causes even greater concern.

The difference between £1,153,410 and £1,027,230, that is £126,180, will be available for appropriation. It is proposed, subject to the approval of the Secretary of State, to allocate this surplus to Railway Capital Receipts to provide for part of the additional capital required in 1946-47 for continuation of relaying the Jebba-Minna section, and for other minor capital works.

As for the prospects for 1946-47, the General Manager's draft estimates forecast earnings on revenue account of £3,931,200 and expenditure on revenue account of £2,817,440 leaving a balance of £1,113,760 for transfer to the Net Revenue Account. By comparison with the approved estimate for 1945-46 the estimated revenue for the forthcoming year shows an increase of £119,200 while expenditure is expected to increase to the extent of a little over £250,000. This substantial increase in expenditure is due mainly to improved conditions of service including a continuation of the 1941 improvements, increased allowances to compensate for the higher cost of living and the extension of pensionability to many more servants of the Railway, the cost of these items being in the region of £135,000.

The attainment of the estimated revenue in 1946-47 will not be dependent so much upon the amount of traffic offering, as this will most probably be in excess of that which the Railway can carry, as upon the ability to increase the locomotive hauling power. This can only be achieved given three things, additional locomotives, the fulfilment of outstanding indents for spare parts, and the active co-operation and hard work of every servant of the Railway. No stone is being left unturned in trying to achieve these three aims.

The rising expenditure continues to cause anxiety and the healthy state of the Renewals Fund standing at about £3,500,000 with £1,000,000 in the Reserve Fund does nothing to lessen this. These sums give a fictitious picture of prosperity which will be shown in very different colours when we are able to obtain

quantities of locomotives, rolling stock, building material and very many other items of equipment which have been in short supply for six years, all of which will have to be purchased at considerably enhanced prices.

The relaying of the Jebba-Minna section continues satisfactorily and the new timber sleeper plant at Zungeru is in full operation and easily maintains the required supplies of treated sleepers for the relaying. The supply of raw timber sleepers to the plant by the Forestry Department and under contract is also well up to requirements. The actual relaying of the track, undertaken as it is under heavy traffic, limits the carrying capacity over this section and causes delay to trains. This was foreseen before the relaying was undertaken, and delays and interruptions are kept as low as possible. There was no alternative to relaying this track without delay as it was worn out and only safe for low speeds; as the relaying proceeds the speed limit is increased upon the portions relayed and so the situation should progressively improve.

Following upon the relaying of the Iva Valley branch serving the Colliery at Enugu, a new branch to Obwetti was completed in 1945 and is already in operation tapping the Colliery's output at this additional point.

It was stated in my Address to the Legislative Council on the 5th March, 1945 that the Railway hoped to obtain eleven new locomotives to its own design in 1945 and 1946. Unfortunately there have been delays in getting the order placed in the United Kingdom owing to industrial conversion from war to peace and it is not anticipated that new locomotives will be available for the Nigerian Railway from the United Kingdom until 1947. Even then, in order to avoid further delay, it will probably be necessary to obtain locomotives to previous designs instead of the local modified designs desired. Efforts are also being made to obtain locomotives from sources other than the United Kingdom. The placing of orders for coaching and goods rolling stock also presents great difficulties at the present time but everything possible is being done to improve the rolling stock situation upon the Railway at the earliest possible date. Unless this is achieved overcrowding of trains and some degree of unreliability is inevitable.

It is hoped in 1946 to do towards planning the improvement of certain stations, namely, Ibadan, Lafia, Enugu, and the actual work will be put in hand as soon as this is feasible. The policy of improving Railway Quarters allotted to "key" staff also continues as rapidly as conditions permit. The chief limiting factor is shortage of qualified supervisory staff, and this applies to almost every activity upon the Nigerian Railway today.

Civil Aviation

So far as Aviation is concerned the year 1945 has been an interim period between full war time conditions and the inauguration of full civilian services which it is anticipated will be operating in 1946. During this period, external services have been maintained by both British Overseas Airways Corporation and Royal Air Force under the aegis of Transport Command which has also been responsible for the Internal Services.

Operation has been planned to a regular schedule which, after several vicissitudes, has developed into a reasonably convenient and fairly well patronized internal service. Passenger fares based on route mileage, have been instituted by Transport Command and are indicative of the increasing trend towards civilian conditions. Except for a short period when "Anson" aircraft were used, "Dakotas" have been employed on both External and Internal services.

All Royal Air Force operational aircraft and organizations have been withdrawn from Nigeria including Coastal Command, and Apapa Aerodrome has been closed down, both as a seaplane base and for land aircraft. The use of Ikoyi alighting area for flying boats has fallen into desuetude and the arrangement now is, that it shall be kept cleared and marked so that it can be put into use at any time at one month's notice.

The United States Army Air Force, at one time in considerable strength at Kano and Maiduguri, left Nigeria after the conclusion of hostilities with Japan. It may now be mentioned that these two aerodromes formed important links on the reinforcement route to the Far East and that considerable numbers of "Super Fortresses" have used both these grounds. The immense weight of the aircraft, far exceeding that of any other type in regular operation throughout the world put very considerable strain on the runways and parking surfaces of these grounds. They were never designed for these loads, but nevertheless it can be recorded with satisfaction that they stood up to the work required of them.

The British Overseas Airways Corporation West African Headquarters have now been installed at Accra which is the terminus of the England to West African Air Service. Ikeja is now the Airport for Lagos, and a centre from which radiate the external services to the Gold Coast and the Sudan and the internal services to Port Harcourt. The question of the use of Nigerian Aerodromes by Foreign Air Services has not yet been fully decided but for the time being four routes across the territory have been scheduled and landings restricted to the Aerodromes at Ikeja, Kano, Maiduguri and Port Harcourt.

The Royal Air Force will maintain control of Ikeja, Kano and Maiduguri Aerodromes but all others have reverted to the Civil Government. With the increasing expansion of regular service

some strain has been imposed on the Civil Aviation organization and it has been with some difficulty that the system of part time Aerodrome Control Officers has been maintained. A recent decision to make this a paid occupation is expected to ease the position until such time as a proper Civil Aviation Organization is set up. In this connection the position has been under investigation by Air Ministry Representatives and the Air Adviser to the Colonial Office, and it is expected that the peace time organization will take shape during 1946.

Progress is being made with the installation of a network of signals communication under the control of the Posts and Telegraphs Department. Construction of quarters for civilian signals operators were started and progress was made with the provision of Catering Rest Houses of which eight were expected to be completed early in 1946.

All aerodromes continued to be maintained successfully by the Public Works Department, and have stood up to every demand. Improvements mainly by increased consolidation have been done at some grounds. New Runways have been surveyed at Tiko and Ibadan and provision has been made for work to be put in hand in the 1946-47 Estimates.

Marine

The position with regard to staff has deteriorated; few of the officers on temporary agreement having elected to remain in the service. The total establishment of Marine Officers is forty-one, but the number actually in the Department is thirty-five. Of these two are still serving with the Royal Navy, one is on temporary appointment and four are uncertificated. The shortage of engineers is even more acute, the total establishment being forty and the number actually in the Department twenty-seven. Of these four are temporary appointments and three are uncertificated.

As a result of this shortage of staff, suspension of and reduction in certain services became inevitable, but by the judicious transfer of officers from one post to another as the need became pressing, it has been possible to maintain the more essential services satisfactorily.

Since the departure of the Royal Navy from Lagos it has been unable to give more attention to the maintenance of marine craft, many of these were approaching the replacement stage even before the war and now it has become extremely difficult to carry out efficient repair work to keep pace with deterioration.

Progress in the construction of new craft has not been satisfactory, due mainly to the increasing need for maintenance of existing craft and to shortage of staff.

Apapa Dockyard has been kept fully employed throughout the year but owing to the presence of the wreck of H.M.S. *Surprise*

at No. 1 Wharf, and to repairs to No. 3 Wharf not yet having been completed, a severe handicap still exists as regards wharfage facilities there. The repair yards outside Lagos have also been working to full capacity, mainly on the maintenance and repair of small craft. The question of transferring Forcados Dockyard is still under consideration and it is hoped that a more suitable site elsewhere will be found shortly.

Good progress has been made in Apapa Dockyard reconstruction. The main office buildings have been completed, the erection of the new store buildings is well advanced and repairs to No. 3 Wharf are in hand.

The depths in Lagos Harbour channels have been maintained by the s.d. *Lady Bourdillon*, with the occasional assistance of the dredgers *Queen Mary* and *Mole*, but the extension and deepening of the channels cannot yet be undertaken without additional dredging plant. Reasonable progress has been made with the reclamation of the swamp area between Five Cowrie creek and Victoria Beach.

The re-sounding of Lagos Bar and the more important parts of Lagos Harbour have been completed and it is hoped to be able to survey Forcados and Escravos bars early in the New year. The latter surveys are long overdue and it may prove necessary to transfer officers from other services to undertake them. It has not been possible to maintain buoys and other aids to navigation in the customary condition as officers were not available to man the buoyage vessel except at intervals.

The clearing of waterways has not made a great deal of headway but valuable assistance is being rendered by Administrative Officers in clearing certain rivers and creeks for the evacuation of produce. Marine Officers have been employed in clearing the Sudd Region, Yewa River, tributaries of the Cross and Niger Rivers, the creek between Opobo and Eket and in Stubbs Creek.

The s.s. *Samark* was successfully salvaged on the 1st October by the s.t. *Vulcan* after being aground on Bonny Bar for two days.

Details of the Marine Development Plan are shown in Sessional Paper No. 24 of 1945 which was laid on the table at a meeting of the Legislative Council held in December last.

During 1945-46, satisfactory preliminary work was carried out in connection with the proposed Omu Creek canal, the clearing of the Opobo-Eket creek and the opening of Stubbs Creek.

Progress during 1946-47 will depend mainly on the supply of new plant and vessels and on the availability of the extra labour required.

Concerning the erosion at Victoria Beach, a survey of the shore was carried out to the eastward of the East Mole for a distance of ten miles, towards the end of the last dry season and the re-

of this and of other minor surveys carried out in the interim have been sent to and studied by Consulting Engineers in the United Kingdom. Certain remedial measures have been suggested by the consultees, but they require further data before more precise proposals can be formulated on the problem. These data have recently been supplied.

Following slight accretion during the period January to March there was heavy erosion up to the end of June particularly in the immediate lee of the Mole and extending to a lessening degree nearly one mile eastwards. Slight accretion took place at mile $1\frac{1}{2}$ and from there to six miles east of the Mole there was slight erosion. During the following quarter there was further slight erosion but at present there are signs of accretion, this being normal for the season.

Apart from the first half mile east of the Mole the position of the foreshore is better than that obtaining at the end of last year's rough season.

It is considered that there is no immediate danger to any land and buildings of value and that stabilization may be reached before such danger occurs. There is the possibility that if not checked, the sea will break through the northern end of the East Mole and into the Harbour, but this can and will be prevented if necessary, by the strengthening and extension of the landward end of the Mole.

The experimental groynes mentioned in my former Budget Address have not yet been constructed. Further proposals from the Consulting Engineers are awaited and it is deemed wise to defer any spending on experimental work until these proposals have been received.

Almost the whole of the Marine Staff at Lagos, Apapa and Port Harcourt (excluding the Clerical and Hydrographic Office Staff) and numbering some 2,500 men, joined the General Strike in June last. The Royal Navy gave very valuable and indispensable assistance in maintaining essential services, though before the strike ended, it was possible to replace many of the Naval ratings by ex-servicemen, most of whom are still serving in the Department.

Posts and Telegraphs

Heavy demands continued to be made on almost all services of the Department and difficulties in obtaining staff and equipment continued. Shortage of staff was aggravated for a period by the absence of staff from June to August.

Postage and telegraph rates were increased. A large number of postal agencies were opened, a branch office was opened in Lagos at the new Lagos Bank. A new office was opened at Ikeja. The volume of mail increased; the airgraph service was discontinued. A very large volume of

letters and parcels from Nigerian troops serving overseas was handled. The increase in parcels from United Kingdom was considerable. A new parcels office was rented in Lagos to facilitate dealing with this. Deliveries by postmen were extended to Ikoyi and Suru Lere in the Lagos area and to Aba, Calabar and Port Harcourt.

There was a small decrease in Money Order business attributed to the strike. Paid Postal Orders showed appreciable increase but there was a considerable decrease in those sold, again partly attributed to the strike.

The balance to the credit of depositors increased from £1,061,000 to £1,587,000. Deposits increased by 42 per cent and withdrawals by 60 per cent. Deposits included £72,000 from African soldiers serving overseas and £90,000 under the Army Demobilization scheme. The entire savings bank staff in Lagos was removed to a new temporary building at Lafaji near Macgregor Canal Bridge.

Telegraph traffic continued to be heavy. Delay was unavoidable because of overloaded plant. There was some increase in mutilations. Wireless was increasingly used to relieve congested centres.

Trunk telephones were opened between Benin City and Sapele. There was also some trunk development in the Enugu area. Inability of manufacturers to deliver equipment restricted expansion considerably. Exchange plant was renewed at Kaduna and Onitsha. New small exchanges were opened at Barakin Ladi and Udi. Telephone communication was also extended to Oji River.

Development in Radio Distribution Services was much restricted by the difficulty in obtaining delivery of loudspeakers and other equipment. A new service was opened at Zaria and some progress made at Calabar.

Port Harcourt aeronautical wireless installation was completed. Other progress was restricted by equipment deliveries and staff shortage. There was considerable activity in provision of temporary installations owing to increased dependence upon wireless during the strike and because of the local industrial situation generally.

The programme of telecommunications development for 1946 comprised trebling the number of telegraph and telephone channels to Kaduna by the use of voice frequency and carrier apparatus associated increased building accommodation, some reconstruction of the main route between Oshogbo and Benin to provide a trunk service for Benin and provide for improved future service to the Eastern Provinces. There was also provision for introducing small portable radio sets suitable for use by Administrative staff on tour in districts where other forms of communications are not available. By the end of the year

manufacturers to supply apparatus until near the end of the financial year little has been accomplished of this programme and none of it completed.

Telecommunications development for 1946 provides for similar treatment of main telegraph and telephone channels to Enugu as was provided for in 1945 to Kaduna. An automatic telephone exchange at Port Harcourt and more Workshops and Stores accommodation in Lagos is also provided for. It is also hoped that the stores, supply and staff situation will justify the overhead construction and reconstruction programme planned to follow.

Labour

Early in the year, the Commissioner of Labour submitted to Government an extensive and comprehensive programme of development and re-organization for the Labour Department to which agreement in principle was given.

The approved establishment at the beginning of the year was one Commissioner of Labour, one Deputy Commissioner of Labour and seventeen Labour Officers but the actual establishment was one Commissioner of Labour, one Deputy Commissioner of Labour and eight Labour Officers (including temporary staff). The development plan provided for forty-seven duty posts which would require a staff of sixty-one officers, that is forty-seven plus fourteen for relieving duties when officers were to proceed on vacation leave and it was proposed that twenty-two officers and the fourteen officers for relieving duties should be selected from the Administrative Service.

It was fully appreciated at the time that the staff required would not be readily available and that the speed of expansion of the Department would necessarily depend on the staff which could be obtained. It was also realized that labour itself was becoming increasingly conscious of its own importance and that demands for an expert and increased staff to deal with trade disputes would be made by the industrial minority of the population.

Efforts were made to recruit suitable staff locally and the Ministry of Labour and National Service continued to give its generous support and assistance in the recruitment in the United Kingdom of staff for this country. Appointments were offered to candidates for the posts of Exchange Managers, Factory Inspectors, Testers and one Staff Training Inspector but at the end of the year the services of one Exchange Manager and one Trade Inspector only had been made available. Recruitment of staff in the United Kingdom is continuing and, as officers become available, it is hoped that the expansion and activities of the Department will increase.

Two of the African members of the Department and one of the staff of the Nigerian Railway who received Social Science Scholarships for courses of study in the United Kingdom returned to Nigeria at the end of the year and were posted to the Department as Assistant Labour Officers. Their courses of study included theoretical and practical work and it is hoped that that which they have received in the United Kingdom will prove of considerable value and have a real application in Nigeria generally and in the Labour Department in particular.

Shortage of European Staff continues to delay the training of African Assistant Labour Officers, but it is hoped that the return of the other members of the Department who are pursuing study courses in the United Kingdom will assist and facilitate the training of subordinate officers for positions of trust and responsibility in the department.

The Statistics and Intelligence Branch has continued to collect and classify from the information available, statistics relating to industry, employment and unemployment, wages and hours of work, cost of living, industrial accidents, industrial disputes, employers registers, workmen's compensation claims and the employment of ex-servicemen, and every effort has been made to keep the number of returns called for to a minimum.

The Labour Advisory Board for Lagos and the Colony published its report on the enquiry into the Tailoring Trade in July 1945, and next undertook to enquire into the rates of wages and conditions of service firstly, of drivers of commercial vehicles, and secondly, of all classes of persons employed in the motor industry (with the exception of those engaged in clerical work).

Recommendations were made by the Board to Government in connection with the first part of the enquiry:—

(a) for the maintenance of a reasonable standard of living and work for motor drivers, and

(b) for securing the maximum safety of all drivers vehicles and users of the public highways.

The publication of this report is to be deferred until the second part of the enquiry is complete.

On the 31st May, 1945, the period of appointment of membership of the Board expired and a new Board, on which as for employers and employees are represented, was constituted several of the former members, including the Chairman re-appointed.

The political and economic disturbances of July and August delayed the Board's investigations but as conditions became settled the work of the Board was resumed.

Further activities in the Provinces in connection with Labour Advisory Board enquiries were precluded owing to shortage of staff but requests were received for the establishment of Boards to enquire:—

(a) in the Colony, into the conditions of employment in the Goldsmiths Trade,

(b) in the Western Provinces into:—

(i) the conditions of service and rates of wages of workers in the timber camps of the Ondo, Ijebu and Abeokuta Provinces,

and (ii) the conditions of service of motor drivers,

(c) in the Northern Provinces into:—

(i) the conditions of employment of motor drivers,

(ii) the conditions of labour of workers on the mines-field with a view to establishing a minimum wage and improved conditions of service for the workers.

Requests for an investigation into the conditions of labour on the river ports of the Northern Provinces and into the matter of housing of the labourers and tributers in the gold mining areas of Ife in the Western Provinces were also received but these requests, like those for formal Labour Advisory Boards could not be met in view of the shortage of staff in the Department. They will receive attention as the staff position improves.

The registration of industrial labour in Lagos was completed on the 31st January, 1945, with the exception of those young people just attaining the age of eighteen years who are normally resident in Lagos.

Since the Registration Bureau opened in December, 1943, 57,578 persons have been registered. 9,053 vacancies have been notified to the Exchange, of which 1,724 have subsequently been cancelled by employers, who have made their own arrangements to fill them, and 6,633 persons have been placed in employment. At the end of December, 1945, 5,508 un-employed persons were on the "Live Register" seeking employment, a decrease of 4,795 from the peak figure of 10,303 in January 1945.

The work of the Industrial Relations Branch has steadily increased as both employers and employees became increasingly aware of the advantages which accrue to them from accepting its services. Shortage of staff placed heavy work on the officer in charge of the branch; despite this, however, there has been steady progress.

Seven industrial disputes occurred during the year. Two of them outstanding from 1944 and were settled by arbitration: the one involving the Government Colliery at Enugu on August and the other the Locomotive Drivers of the Nigerian Railway which

arose in December. Of the remaining eight, most had their origin in the same causes which gave rise to the general strike in June. None of the ten disputes can in themselves be said to have involved fundamental issues.

Ten new Trades Unions were registered during 1945 bringing the total number of Registered Unions to 108. Both the Department and the Trades Union Congress devoted their energies to promoting a clear association between unions covering similar trades or industries, but the geographical conditions of Nigeria inevitably make this a slow process.

The Workmen's Compensation Ordinance operated with increasing smoothness. Constant personal contact was maintained with an ever increasing stream of both employers and employees seeking advice and there has been a corresponding decrease in litigation.

The number of cases coming within the provisions of the Essential Works Order also fell considerably, and the removal from its scope of certain classes of employment at present included, is under consideration.

No important changes took place in wage rates although there were minor increases in a number of industries. The Cost of Living Index in Lagos, which, in October, 1943, had risen to 173.65 on the basis of 100 in September, 1939, fell to 161.30 in April, 1944, as a result of the introduction of the " Pullen Scheme ", but again rose steadily in the month of October, 1945, when it was 175.92.

A Committee to consider the question of the Cost of Living was set up in 1942 and since met at six-monthly intervals. The Committee directed an enquiry which formed the basis of the Index but there was an increasing conviction that the weightings upon which the calculations were based were insufficiently representative of the community as a whole.

Government offered its employees an increase of 20 per cent in Cost of Living Allowance as from the 1st of August, 1945, and the matter is now the subject of enquiry by a Commission set up by the Secretary of State.

The circulation of the departmental Quarterly Review increased steadily throughout the year despite the charge of 10/- per copy placed on the subscribers. The publication of the June and September issues was delayed owing to the strike but was finally made possible only through the very considerable assistance and co-operation of the Printing Department.

Owing to the shortage of staff, the outstation at Enugu was placed in the charge of an Assistant Labour Officer-in-training for the latter part of the year but the Department endeavoured to assist the Colliery Management and workers generally wherever necessary. The employees' organizations at the Colliery frequ-

increased considerably so that whilst there was only one European Officer on full time re-settlement duties at the beginning of the year this number had increased to fifteen European Officers and over one hundred clerks at the end of the period under review.

Visits of inspection were paid by Officers of the Department to Jos, Ibadan, Burutu, Sapele, Warri, Enugu, Calabar, Port Harcourt, Victoria and Ikorodu.

Nigeria still has some 65,000 men serving in the Army of whom approximately 45,000 are overseas. Troops have been demobilized at approximately 2,500 men per month. The military demobilization machine is capable of dealing with a maximum of 7,000 men per month and as soon as more shipping is available the rate of demobilization will probably be considerably increased. Every effort is being made to get the men back to their homes as soon as possible.

An Advisory Council was set up in Lagos consisting of equal numbers of employers' and employees' representatives. The Council's main function was to advise and assist the Commissioner of Labour in matters relating to the employment, undertaking of work on their own account or training of ex-servicemen generally and of disabled ex-servicemen in particular. Provincial Advisory Committees were also established to advise and report on any matter submitted to them for that purpose by the Advisory Council or by the Commissioner of Labour.

The first step to place ex-servicemen in paid employment was the enactment of the Employment of Ex-servicemen Ordinance which made it possible to compel each registered employer to fill vacancies from the ranks of ex-servicemen until he had reached his quota, which is, at present 5 per cent of the employer's establishment. This standard percentage can and will be raised progressively as desirable. The effect of this legislation quickly became noticeable. Whereas only a few hundred ex-servicemen had found paid employment by May 1945, six months later the number had risen to over 3,000 out of a total of 12,000 who had registered as requiring employment. The figures at the end of the year:—
Registered for employment 14,502—obtained gainful employment 3,916.

Registration Centres for employers have been set up at L Kaduna, Ibadan, Enugu and Victoria and special employ exchanges for ex-servicemen were expanded in almost Administrative Division in the country.

Government has negotiated the purchase from the Army No. 1 Trade Training School at Enugu. It is hoped to open training centre for suitable ex-servicemen shortly.

demanding increases in pay and, as a result of an Arbitration Award, the payment by piece work was introduced for hewers and tubmen and seniority pay was also granted to those workers who had completed five years' service with the Colliery.

About one-fifth of the labour force at the Colliery was housed by the end of the year and further schemes for the housing of the entire labour force are proceeding.

Recruitment of labour for the Spanish Territories of the Gulf of Guinea, which was effected through the Recruiting Agency and the Labour Officer, Calabar, has shown a slight increase over the numbers recruited during 1944. The demands of the Spanish employers are however, considerably more than the numbers of workers available and suggestions have been made to the Spanish authorities that increased wages, more attractive conditions of service and a more expeditious settlement of the estates of deceased labourers might possibly provide an increased number of volunteer workers for the Spanish Territories. The Labour Officer stationed at Calabar visited Fernando Po during the year and the British Labour Officer, Fernando Po paid frequent visits to Calabar for an exchange of views with the Labour Officer and Administrative Officers. The Labour Officer Calabar also paid visits to the Cameroons on tours of inspection but the time at his disposal for such inspections was necessarily short owing to the weekly attestations of recruits who embark once a month for the Spanish Territories.

At the beginning of the year, it was proposed to establish outstations at Kaduna, Ibadan and the Cameroons. The office at Jos which was newly opened in 1944 to supervise labour matters on the minesfield was staffed by two Labour Officers, but one of these officers was later posted to resettlement duties on the Plateau.

The other officer paid frequent visits of inspection to the mining camps on the Plateau and, through helpful comment and constructive criticism, attempted to assist the mines management in the organization of their labour force and simultaneously to provide improved standards of living and conditions of service for workers. It was proposed, during the year, to establish a Labour Advisory Board on the minesfield. Proceedings were also instituted for the declaration of the Plateau as a Labour Control Area. Discussions on the latter and the Labour Advisory Board were held with representatives of the Heads of the Government Departments concerned, the principal mining companies and representatives of the workers and negotiations are proceeding.

A Labour Officer was posted exclusively for duties as Area Resettlement Officer Kaduna and generally the numbers of European and African Officers connected with Re-settlement

The following numbers in each trade will take part in each course of training which will last approximately six months:—

- | | |
|-----------------------------------|------------------------------------|
| (a) 100 Carpenters. | (d) 20 Painters. |
| (b) 60 Masons. | (e) 20 Electricians. |
| (c) 60 General and Motor Fitters. | (f) 20 Tinsmiths and Coppersmiths! |

Artisans and craftsmen who wish to set up in private business will be assisted to obtain tools at the cheapest rate possible. A scheme has been devised for the purchase of tool kits from Army surplus Stores or from manufacturers by Government for resale to selected ex-servicemen through Native Authorities. In many cases men will be able to purchase these tools outright from their accumulated pay and allowances. In other cases credit facilities are required to pay for them on a hire purchase arrangement. In the latter cases Native Authorities will be prepared to provide credit facilities and will be responsible for the payment of the money.

While it is expected that the development schemes which are now under active consideration will eventually provide a large field of direct and indirect employment for ex-servicemen they are unlikely to do so for some time. Some steps must, therefore, be taken to cover the intermediate period before these schemes come into full operation and to this end approval has been given to the recruitment, supernumerary to establishment, of as many ex-service tradesmen as technical departments are able to provide employment for immediately or train with a view to ultimate absorption.

While every effort is being made and will continue to be made to place ex-servicemen in such vacancies as exist, and to create opportunities where possible for further employment, the fact must be faced that out of Nigeria's population of over 20 millions there are only some 300,000 wage earners and the economy of the country has not yet reached and will not reach for many years the stage where an additional 100,000 men can be absorbed into paid employment. Government's policy for ex-servicemen is "Back to the Land" for the majority and paid employment for the few who, on account of their technical abilities are more useful as artisans who, for some reason, have no land to which they can return.

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The Force has been considerably under-officered throughout the year and a number of important duty posts have remained unfilled on this account.

An intensive recruiting campaign and special steps taken at the training school at Enugu are gradually filling the vacancies in rank and file in the Southern Provinces, but the Force here is considerably below the strength required.

In the Northern Provinces, recruiting has been temporarily suspended to permit reabsorption of those members of the Force—some 200—who volunteered for military service in 1940, and who are now being taken back, in accordance with the promise made to them at the time, in the ranks which they have since attained in the Army.

Provisional increases in establishment for the Colony, and certain of the Western and Northern Provinces are included in the 1946-47 estimates, and further increases throughout the country are bound to be necessary in future to keep pace with development.

The internal air service has made it possible to send personnel from the Criminal Investigation Department to investigate important cases in various parts of the country. They have already visited Kano, Maiduguri, Port Harcourt and Calabar by air and concluded cases with success in those areas. This mode of travelling opens up vast possibilities for the investigation of crime where speed in arriving at the scene is a most essential factor.

The technical apparatus in the laboratory of the Criminal Investigation Department has been brought up to a high standard and we now have up-to-date equipment, which enables us to deal with certain types of cases on proper forensic science lines—methods which are becoming increasingly necessary as crime becomes cleverer and more technical.

During the coming year an endeavour will be made to link up more police stations with the main telephone system. The need for prompt communication of information and reports in Police work needs no stressing. Means of communication are still a long way behind those needed by a Police Force required to control a country the size of Nigeria. Inter-wireless communication will become a necessity in the near future to maintain efficient co-operation between Provinces.

In anticipation of the crime wave which has already made its appearance in Europe and America, and other unsettling repercussions which will inevitably follow the conclusion of a world war upheaval, the Investigation and Special Branches of the Criminal Investigation Department are being expanded and reorganized and additional accommodation for the larger staff is in course of construction.

With the possible availability of ammunition once more, and musketry courses for the rank and file, and revolver courses African and European Officers, have been resumed. Their former quasi-military character has, however, been revised and practice more suited to the requirements of a civil Police Force substituted.

Generally speaking, the average of crime has remained at a normal level, except in the case of murders.

Contrary to expectation there was a sharp drop in crime in the Northern Provinces, particularly in thefts and burglaries, but smuggling increased. In the Southern Provinces indications are that the anticipated increase has started, though crime under the main heads, except murder, has up to date been more or less normal. In the Colony (particularly in Lagos) and Western Provinces, there has been an epidemic of bicycle and clock stealing, due to lack of imports, shortage of spare parts, and strict control of these articles. A publicity campaign was started in the later months of the year with a view to enlisting the help and co-operation of the public in preventing such forms of crime. In the Colony also, while there has been a big increase in burglary, theft and housebreaking, there has been a substantial drop in wounding, serious assaults and offences against the person.

A Constable was murdered on the 13th of October, 1945, in the Ikot Ekpene Division of the Calabar Province while investigating the manufacture and sale of illicit liquor.

The ugly menace of an influential "Leopard Society", operating in the Abak and Opobo Divisions of the Calabar Province, has appeared again after a lapse of many years. As a result of Police investigations it would appear that between seventy and eighty persons have been murdered by members of this society during the year. The victims are destroyed with consummate skill, and the injuries inflicted are such as to give the impression that no human agency is involved. In a number of cases the Medical Officers' conclusions have been that death had been caused by a beast of prey, probably a large leopard. In a large number of cases, the deaths and burials were never reported at all. Extra police from adjoining areas have now been drafted in together with Criminal Investigation Department personnel including a European Officer sent down from Lagos by air. Full investigations are in progress and many arrests have been made for the undoubted murders during the year of persons whose deaths were, at the time, ascribed to wild beasts. Relatives of the victims were too terrified of the society's far-reaching powers to call in the Police.

Special endeavours have been made to give more time to training the various Native Authority Police Forces in the North to raise their standard of efficiency, and two European Police Officers have been specially seconded for this purpose to the Provinces of Kano and Katsina, Bauchi and Bornu.

Financial provision and arrangements have been made for the Customs and Excise Department to take over from the Police, as from the 1st April, 1946, the Eastern and Western Frontier Protective Services, the functions of which more properly belong to the former Department. Non-arrival of personnel expected from the United Kingdom may, however, hold up the change-over for a few months.

Great progress has been made towards improving the housing of the Force, particularly for the lower ranks. New enlarged quarters are springing up in almost every province, thanks to the control of a separate Temporary Buildings Vote being placed by Government in the hands of the Commissioner. A long term plan is actively in hand, and the rank and file are already showing signs of appreciation of what is being done to better their conditions.

There have been a few tribal disturbances, involving loss of life, in the Eastern Provinces, but they were promptly and satisfactorily dealt with by the Police.

Detailed plans for new training schools for the Northern and Southern Provinces at Kaduna and Ikeja respectively have been approved, and votes provided to enable preliminary work to be undertaken. This is proceeding.

A considerable increase in illegal gold mining and trafficking in raw gold in the Ife-Ilesha belt has necessitated a big increase in the Police in that area, and a full-time senior Police Officer is in charge of operations against those conducting these activities. Results are gratifying.

The branch of the Force known during the war as the Harbour Defence Unit, which did most valuable work in connection with shipping and security measures in the Lagos Harbour, has now been reduced in size and reorganized into a regular Harbour Police branch, which will work in close co-operation with the passport and immigration branches of the Force in peace-time control of shipping; passenger traffic; and protecting property on the waterfront.

Much has been done to improve the recreational facilities and amenities for the men during their off duty hours. Games and athletics continue to hold high place in promoting *esprit-de-corps* and in keeping men fit for their arduous duties, and all-Nigeria Police Sports were held again in Lagos in 1946 after a lapse of six years.

The details of the general strike in June, July and August 1945, are well known. Suffice it to say here that the Police, carrying out their most arduous and often unpleasant duties, displayed commendable patience, tact and good humour. Their loyalty, in circumstances of peculiar difficulty, will remain a lasting credit to the Force. The brunt of the work fell on the Lagos Police who were particularly hard-pressed in view of simultaneous difficulties arising out of the congestion at the J. Markets. No praise can be too high for the work done by all and all branches of the Force in Lagos, and indeed throughout the affected areas, during those strenuous days.

In 1943, my predecessor in his Budget Address said, 'Police have a habit of getting on with the job and

saying much about it". This has continued to be their policy and it is felt that if it were possible to chronicle in detail even a minor portion of their activities during the record year that is past—including the multifarious duties resulting from the two Victory celebrations—it would be more fully appreciated how very much the country owes to them.

Prisons

There is little in the work of the Prisons Department during the current year which calls for special comment. The shortage of supervisory staff and inadequate stores and equipment presented problems, but in spite of the many difficulties a reasonable standard of administration has been maintained. A serious shortage of prisoners' bedding was overcome by the purchase of 10,000 blankets from the Military Authorities.

A long term prison expansion programme has been approved which includes additional African and European Staff, the building of two new penal prisons, four new Industrial Schools, a prison for females and the re-building of many of the existing prisons.

The two new penal prisons will be for the accommodation and treatment of habitual offenders. Both prisons will be of permanent and strong construction and each will contain 500 single cells. One will be built in the Western Provinces near Abeokuta, the other in the Northern Provinces on a site to be selected.

The penal prison near Abeokuta will be built on a site adjoining the Aro Quarry. The quarry will be taken over by the Prisons Department. The technical staff of the Public Works Department now working the quarry will be seconded to the Prisons Department for duty at the quarry, but will remain on the strength of the Public Works Department.

Work on the two penal prisons will commence in 1946-47 and their cost will be charged against Development Loan Funds.

New central, provincial and divisional prisons, as well as Industrial Schools, will be of semi-permanent construction built by the Director of Prisons with prison labour assisted from time to time by the Public Works Department. The construction of these prisons and Schools will be regarded not as development but as ordinary departmental expansion, provisions for which will be made in the Prisons Estimates from year to year under "Special Estimate". The amount to be provided annually to be accorded to the volume of work which can be carried out by the Director of Prisons will be in relation to the financial situation.

The programme of expansion was opened by the purchase of the Barracks at Enugu for conversion to an Industrial School for the accommodation and training of 250 boys. The price paid for the Barracks was £10,000 and a further £10,000 has been allocated for its conversion. The Barracks was taken over and

occupied at the beginning of January 1946. A sum of £2,000 was made immediately available for conversion work during 1945-46. The balance of £8,000 is provided for in the 1946-47 Estimates.

Printing

Year by year since 1940 the department has steadily increased its output of printed matter. The figures of value of output for the past six years are as follows:—

1940			1943		
	£	s d		£	s d
Lagos ..	22,059	19 1	Lagos ..	43,199	15 9
Kaduna ..	3,329	17 0	Kaduna ..	4,782	13 4
Total ..	£25,389	16 1	Total ..	£47,882	9 1
1941			1944		
	£	s d		£	s d
Lagos ..	30,783	10 10	Lagos ..	44,132	8 6
Kaduna ..	3,386	6 2	Kaduna ..	5,548	15 1
Total ..	£34,169	17 0	Total ..	£49,681	3 7
1942			1945		
	£	s d		£	s d
Lagos ..	36,050	15 6	Lagos ..	65,404	16 1
Kaduna ..	4,361	7 5	Kaduna ..	5,320	14 6
Total ..	£40,412	2 11	Total ..	£70,725	10 7

These results could not have been achieved without a good deal of hard work and the willing co-operation of the staff as a whole. Other contributory factors are improvement in organization and methods of working; the installation of additional modern equipment, and some additional staff. The number of ex-servicemen absorbed already exceeds the quota fixed for the department.

The two meetings of the Legislative Council held in March and December gave the department a considerable amount of "rush" work. The Debates of the March meeting comprised a volume of nearly 600 pages. The Labour Code and the Criminal Procedure Code were printed at short notice, the latter necessitating a very considerable amount of printing to suit large quantities of numerous forms required to enable the Code to be put into operation. Large printing requisitions were dealt with at high speed to meet the needs of the Labour Department, especially in connection with re-settlement. All work was completed within the scheduled time. The Ten-Year Plan Sessional Report was also produced at short notice and a special effort was made to get nearly all the departmental annual reports printed before the end of the year. Most of them were ready to lay on the table at the December meeting of Council.

The demolition of several old buildings and the erection of a large new building, to accommodate stocks of stationery and general printed forms, and the despatching section, improved departmental efficiency.

The tempo of work in this department is always high and a tribute is paid to the way in which the staff, numbering approximately 400 men and women, responded to the demands made upon them.

The Kaduna Branch of the Government Printing Department, which has been under the supervision of an African Assistant Superintendent of Press, for the past two years, has given valuable help to the Northern Provinces Administration. As this Branch Press has always worked in the background, some brief reference to its work might be appreciated by the staff.

The granting of two scholarships to enable men to study printing at an English College of Technology was greatly appreciated as a practical gesture to help ambitious young men. A third man went from the Railway Press.

From time to time parties of young men and women from local colleges have paid visits to view the department during working hours. They were greatly interested in the various practical operations involved in the production of printing.

New Government Presses have been proposed for certain provincial centres, although it is not possible at present to give any definite date of opening in view of difficulties that may be experienced in obtaining trained staff and equipment.

Government has agreed to the purchase of new equipment which should enable this department to refit, either during 1946, or as soon as it is possible to obtain and instal the machinery ordered.

Local printers have been helped so far as possible during the year, with secondhand materials on repayment, that could be spared. Otherwise many of them would have been compelled to close down.

Administrator-General

The Revenue for 1943-44 was £6,243 5s 0d, that for 1944-45 £8,840 9s 10d and from the 1st April this year to the 30th ember, £4,445 8s 9d.

The Administrator-General performs the following duties in addition to those prescribed by the Administrator-General's Licence No. 14 of 1938.

1. Probate Registrar
2. Public Trustee
3. Registrar of Trade Unions
4. Registrar of Business Names

5. Registrar of Companies
6. Official Receiver
7. Registrar of Bills Of Sale
8. Registrar of Patents
9. Registrar of Trade Marks
10. Commissioner of Stamp Duties.

From the 1st January to the 30th November (the period covered by this Report) the administration of forty-one European estates (twenty-eight Civilians and thirteen Officials of Government) and 562 African estates was undertaken by the Administrator-General, as against ninety-six European estates (forty-five Civilians and fifty-one Officials of Government) and 412 African estates for the same period last year.

Probate Registrar.—The number of applications received during the period under review was 501 as against 465 for the same period last year.

Public Trustee.—The total number of Trusts under the Public Trustee is 190 as against 143 last year with 566 *cestui qui* trusts as against 562 last year.

The aggregate value of Trusts held up-to-date is £37,966 7s 7d as against £35,283 19s 11d for the same period last year thus showing an increase of £2,682 7s 8d over the figures for last year. All funds are invested in Government Securities.

The Public Trustee continues as usual to arrange for maintenance and education of minors and all bills for schooling, etc., are sent to this office and paid direct to the institutions and parties concerned.

Registrar of Trade Unions.—The total number of Trade Unions registered up to date is 100 as against ninety-one for last year. Twelve Trade Unions were registered during the period under review as against seven for the same period last year.

The number of applications advertised in the *Gazette* pending consideration is eleven. One Union was struck off the Register for failure to function according to the Trade Unions Ordinance.

Registrar of Companies.—During the period under review twenty-two companies were registered with a total share capital of £407,300 as against twelve companies with a total share capital of £351,000 for the same period last year.

The total number of Companies on the Register up to date is 286 with a nominal share capital of £3,323,992 6s 8d.

Registrar of Business Names.—The total number of Business Names registered during the period under review is 674 as against 458 for the same period last year, thus showing an increase of 216 Business Names.

The Office is at present temporarily housed at 20 Campbell Street, Lagos, pending the building of new premises on the site of the old office at 27 Broad Street, which has been approved in the current year's estimate. The temporary office at Campbell Street is commodious but has no fire-resisting room in which important files and other documents as well as articles of Sentimental value belonging to deceased persons can be kept.

Legal

The shortage of qualified legal staff continued during the year and at times it became necessary to withdraw Crown Counsel from Kaduna and Ibadan and it has been found impossible at any time to station Crown Counsel at Enugu. It is hoped to re-open Kaduna in the near future.

This shortage of staff taken in conjunction with the greatly increased volume of work has imposed a strain upon the officers of the department which it is feared will continue until vacancies can be filled: at one period during the year there were only two legal officers in Lagos and one in Enugu, who had to perform not only the normal routine work, but to endeavour in addition to deal with that extra mass of legal work which commenced in 1939 and has since continued.

During the year seventy-three Ordinances were drafted and are now on the Statute Book, of which twenty-four were original, and forty-nine amending Ordinances: subsidiary legislation maintained the high output of previous years.

The original Ordinances included the final Bills necessary for the "Judicial Reform", which is now in full operation throughout Nigeria, comprising the Criminal Procedure Code, 1945; the Magistrates Courts (Civil Procedure) Ordinance, 1945; the Magistrates Courts (Appeals) Ordinance, 1945; the Sheriffs and Enforcement of Judgments and Orders Ordinance, 1945; and the Recovery of Premises Ordinance, 1945; these Ordinances complete the series of Ordinances which provide a uniform code for Nigeria.

Perhaps the most interesting of the other Ordinances is the Labour Code, 1945, which is based upon the most modern labour legislation and implements those conventions to which Nigeria is a party and may fairly be described as the most up-to-date labour legislation in colonial dependencies.

Four Ordinances forming part of the public health legislation are worthy of note, and comprise a new Pharmacy Ordinance, based upon the most recent legislation in other countries, the Yellow Fever and Infectious Disease (Immunisation) Ordinance under the provisions of which compulsory immunisation against yellow fever and other declared infectious diseases may be effected. A Destruction of Mosquitoes Ordinance to provide for more effective control and the Private Hospitals Ordinance, which will enable proper standards of control, nursing and equipment to be enforced in private hospitals.

Visual propaganda has been hampered by the lack of a Films Officer, but nevertheless the four cinema vans have been able to tour continuously and two regular cinema theatres have been established in Lagos for school children and the re-habilitation centre. The Ministry of Information has supplied a number of film strip projectors. These are proving exceptionally useful at educational establishments and for Native Authorities, especially on subjects as soil erosion; improved methods of agriculture; health and so on; the film strips being made from photographs taken in Nigeria by the official photographer. There seems to be a great future for this method of presentation, which has the merit of being fairly cheap as opposed to the cine-film.

Progress in the establishment of Radio Diffusion Stations has been slow owing to lack of staff. Zaria Radio Diffusion Station was opened on the 1st of October, and it is hoped that Calabar will follow shortly. The recording of messages for broadcasting to the Forces overseas has continued smoothly. Cordial relations have been maintained with the B.B.C., Brazzaville, Leopoldville, and Accra broadcasting stations, and a good deal of interchange of news and listeners' views has taken place.

The cessation of British Official Wireless Press has caused a lacuna in the supply of straight news from the United Kingdom and the rest of the world. Its substitute, the London Press Service, consisting as it does of 'feature' material does not supply Nigeria's need, but this service is not prepared to compete with commercial newsagencies.

Even with only one Process Engraver instead of two, this section has made considerable strides. Production has quadrupled in 1945 as against 1944. Commercial work continues on the upgrade and Departments are beginning to appreciate the value of illustrations and are taking advantage of this unique service, the only one on the West Coast of Africa.

Conclusion

In making an acknowledgment of the devoted work of all branches of the Public Service I should like to free the tribute from any trace of the conventional. I am deeply conscious of the additional work and responsibility which has been thrown upon increasingly under-staffed and tired Service. They have responded readily to the call. The year has seen the end of the War on fronts, but the havoc of War remains and the strain of readjustment to the needs of Peace is no less than that of the War itself. There is some hope that the recruitment of new staff and the steady industrial recovery of Europe will ease the local burden and increase the flow of imports during the coming year. Every month now brings back thousands of Nigerian soldiers from the War.

areas. We welcome them home and we wish them a happy return to civilian life. It is a first duty of Government to try and make such return easy for those who have taken so notable a part in the fight for world freedom. Their experience of other countries and their broadened outlook should enable them to make a contribution no less valuable to the future progress and development of Nigeria.

A. F. RICHARDS,
Governor

Lagos,
18th March, 1946.

Debates in the Legislative Council of Nigeria

Tuesday, 19th March, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Tuesday, the 19th of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.

- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable J. Ogboru.
- The First Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.
- The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.
- The Member for the Ijebu Division,
The Honourable T. A. Odutola.
- The Second Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

The Honourable E. W. Cannell.
 The Third Lagos Member,
 The Honourable A. Adedoyin.

EXTRAORDINARY OFFICIAL MEMBERS

The Honourable G. F. T. Colby,
 Administrative Secretary.
 The Honourable E. A. Miller,
 Commissioner of Labour.
 The Honourable N. S. Clouston, O.B.E.,
 Commissioner of Lands and Director of Surveys.
 The Honourable W. C. C. King, C.M.G.,
 Commissioner of Police.
 The Honourable W. B. Dare,
 Commissioner of Income Tax.
 The Honourable C. W. Reece,
 Acting Solicitor-General.
 The Honourable J. G. C. Allen,
 Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

The Deputy Chief Secretary to the Government,
 The Honourable T. Hoskyns-Abrahall, C.M.G.
 The Senior Resident Bornu Province,
 Captain the Honourable E. W. Thompstone, C.M.G.,
 M.C.
 The Senior Resident, Warri Province,
 Major the Honourable R. L. Bowen, M.C.
 The Senior Resident, Adamawa Province,
 The Honourable G. B. Williams, M.C.
 The Senior Resident, Ilorin Province,
 Captain the Honourable J. P. Smith.
 The Resident, Ondo Province,
 The Honourable E. V. S. Thomas.
 The Resident, Bauchi Province,
 Captain the Honourable H. H. Wilkinson.
 The Resident, Cameroons Province,
 The Honourable R. J. Hook, D.F.C.
 The General Manager of the Railway,
 The Honourable A. J. F. Bunning.
 The Honourable E. A. Carr,
 Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 18th of March, having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 10-14 by the Honourable the Member for the Ondo Division, Nos. 25 and 26 by the Honourable the Member for the Cameroons Division, No. 30 by the Honourable the Member for the Calabar Division, No. 34 by the Honourable the Member for the Calabar Division, Nos. 35, 37, 39, 41-47 by the Honourable the Second Lagos Member, Nos. 49, 50, 54-56, 59, 61-65, 67-75, 79, 86-91, 93-94 by the Honourable the Second Lagos Member, Nos. 97, 99, 101-102 by the Honourable the Member for the Oyo Division, No. 106 by the Honourable the Member for the Ijebu Division, Nos. 108-110 by the Honourable the Member for the Ijebu Division, Nos. 111-112 by the Honourable the Member for Egba Division and Nos. 113-116 by the Honourable the Member for the Rivers Division are not yet ready.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

14. To ask the Honourable the Chief Secretary to the Government:—

(a) Is it a fact that in some cases the quarters of Government and Native Administration Clerks urgently require improvement? If so, what steps are being taken?

(b) Is it true that quarters provided for European Officers are in some cases also inadequate?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The Honourable Member is doubtless aware that it is not the normal practice to provide quarters for Government and Native Administration Clerks. In exceptional cases however quarters are provided and it is agreed that in some such cases they are unsatisfactory. Every effort is being made to improve the situation as funds and staff permit.

(b) Yes, Sir.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe

22. Will the Honourable the Chief Secretary to the Government please state whether, in consideration of the fact that large sums of money were expended to send a representative delegation of Chiefs and important members of the native communities of the Colony and of the Provinces of Southern Nigeria to London in the year 1913, with the approval of the Colonial Office, to give evidence before the West African Lands Committee in London, which took down voluminous notes of evidence on the customary law of land tenure, printed copies of which minutes of evidence and the complete Report of the Committee have been deposited and stocked in the Library of the Colonial Office in Downing Street, London, Government will not graciously reconsider its decision to withhold publication and distribution or sale to the public of the Report on Nigeria and release the publications.

Answer—

The Hon. the Chief Secretary to the Government:

So far as can be ascertained locally the Report to which the Honourable Member refers was never completed as the 1914-18 War interrupted the Committee's deliberations.

The results of the enquiry so far as it went were however gathered together by a sub-committee and published in the form of a draft report. A copy of the draft is available in the Secretariat Library if any Honourable Member wishes to peruse it.

It is not considered that the re-printing of this incomplete draft report after the lapse of thirty years would serve any useful purpose.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

36. To ask the Honourable the Chief Secretary to the Government if he will kindly make a declaration for the information of this Honourable House whether the British Government in relation to Nigeria recognises the legal enunciation that the soil of the Colony of Lagos is British soil and the inhabitants of the Colony both white and black are British Subjects: that the soil of the two Protectorates of Nigeria is not British soil and that the indigenous inhabitants of the two Protectorates of Nigeria are not British Subjects but "British Protected Persons"?

Answer—

The Hon. the Chief Secretary to the Government:

The soil of Nigeria is British soil in the sense that it is British territory as opposed to foreign territory. The inhabitants of the Colony are British subjects provided that they so qualify under the laws relating to British nationality. The indigenous inhabitants of the Protectorate of Nigeria are British protected persons.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

38. To ask the Honourable the Financial Secretary:—

(a) What is the actual cost of the building of the present Ikoyi Club and from what funds was the cost met?

(b) What is the cost of the furniture supplied to that building and from what fund was the cost of all the furniture met?

(c) Is the Ikoyi Club an exclusive institution for Europeans?

Answer—

Hon. the Financial Secretary:

£10,866, 17s 4d.

£386 17s 7d.

and (b) Government made a grant of £5,850 towards the cost of building the club and advanced a further £4,000 in the form of a loan at 5 per cent interest, repayable by instalments over a period of twenty years and secured by a mortgage. In return for this assistance the Ikoyi Club undertook to provide restaurant facilities for Government officers who should be quartered in the

The figure for 1944-45 includes sums collected by way of Back Duty Penalties in respect of previous incorrect or false declarations.

The figure for 1945-46 is not yet available.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

103. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether it is an established Government policy to regard Intelligence Reports as secret documents?

(b) If not, why are applications for copies from individuals, societies or public bodies always turned down?

(c) If the reply to (a) is in affirmative, will Government kindly reconsider such a policy and declare Intelligence Reports as open documents available to anyone who may wish to be in possession thereof, if even at certain reasonable prices?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Intelligence Reports are not necessarily or invariably secret documents but since they are communications to Government by Government officers the question whether their contents should be made public is a matter for the Governor's decision in each case.

(b) Government is not aware that such applications are always refused. If the Honourable Member has any specific instance in mind it is suggested that he raise the matter through the usual channels.

(c) See (a) above.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

104. To ask the Honourable the Director of Marine:—

Directing serious attention to the not infrequent incidents of delays and narrowly averted disasters—not to speak of fatal ones—on the lagoon between Ikorodu and Lagos due to engine trouble or other defects, to ask what action has been taken by the Government with proprietors of transport motor launches plying daily thereon, with a view to rendering their craft sea-worthy and in good state of repair, in the interests of the lives and property of their patrons?

Answer—

The Hon. the Director of Marine :

All privately owned vessels plying for hire are surveyed and or at more frequent intervals if considered necessary under Part of the Shipping and Navigation Ordinance by two Government Surveyors, who examine the hull, engines and equipment (including the fire-fighting and life-saving equipment), and who issue a certificate of survey only if they are satisfied that the condition of vessel and all details are satisfactory and complete. This certificate shows the maximum number of crew and passengers that is allowed to carry and the certificate must, according to Regulations, be exhibited in a prominent position in the vessel all to see. The certificates of competency of Quartermasters and Drivers are examined at the time of the survey.

Members of the public, for their own safety, should report to any Police or Marine Officer, any infringement of the Regulations.

Government cannot accept responsibility for delays to privately owned launches nor for the occasional breakdowns to the engines of such craft.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

107. To ask the Honourable the Director of Public Works:—

(a) Whether he is aware that the price paid by the Ijora Sawmill of his Department for first class timber per cubic feet, believed to be between 2s and 2s 6d, is lower than that paid by other buyers of timber elsewhere in Nigeria?

(b) If the reply to (a) above is in the affirmative, to ask whether Government intends to review such prices?

Answer—

The Hon. the Director of Public Works :

(a) Complete information is not available as to prices paid by other buyers elsewhere in Nigeria. Timber is purchased by the Ijora Sawmill at prices which are agreed with the suppliers and are considered to be reasonable.

(b) Does not arise.

BILLS

(Second Readings)

THE INCOME TAX (AMENDMENT) ORDINANCE, 1946

The Hon. W. B. Dare (Commissioner of Income Tax) :

Your Excellency, I rise to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Income Tax Ordinance, 1943.”

I shall proceed to implement the proposals which were made yesterday, and I beg to move that at a later date during this Meeting this Bill shall be referred to a Select Committee.

The Hon. the Financial Secretary :

Sir, I beg to second.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.) :

Your Excellency, I wish to say a word about this Bill before it is committed to Select Committee that is, to deal with it in principle. I want to say, Sir, that the amendment of this Income Tax Ordinance has caused no small consternation among the people. I realise that we are confronted now with a big problem, namely the development programme, the very gigantic programme for the development of the country, and therefore the country will necessarily need money, but we have suggested times without number, Sir, that the official financiers on this side of the House should be invited to deliberate and confer with the expert financiers on the other side

the existing machinery for collection Income Tax is inequitable and I therefore oppose its increase.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

Your Excellency, I feel I cannot allow this opportunity to pass, without making reference to the difficulties the small business man has to overcome.

He has just crossed over the war period and has not yet settled down to things, and with Import control which precludes him from doing business in the same way as the European commercial Houses, he has difficulties in being able to exist, and until import controls are removed I personally do not feel, Sir, that this Government should bring in this Income Tax Bill. In the Eastern Provinces, and I am sure His Honour the Chief Commissioner will confirm this statement, some people exist before tax is collected and seem to disappear during tax collection and come back to life after Tax has been declared. I am sure you do not wish to frighten us away from our business places and from our homes. I think this Bill is a little too inopportune and should be left for a later date when our Development Plans do not come up to scratch. The Government has sufficient revenue and under the circumstances I quite endorse the remarks of the previous speakers and wish that some notice be taken of our views. I personally am not opposed to Income Tax, but I feel that some sort of opportunity should be given to people to allow them once more to get on their feet, and after that—well in a few years—when we have schemes like water, Electricity and things of that sort going in full swing we might then consider the possibility of increasing Income Tax.

The Member for the Ondo Division (The Ven. & Hon. Archdeacon L. A. Lennon, M.B.E.) :

Your Excellency, I did not mean to speak much on this because the world over no one seems to like tax, even from Our Lord's day they were trying to catch Him to see if He would welcome tax. But with regard to this Income Tax, Sir, at the last Session of Council we went down to see a little of the Fisheries business. We got there and were told by the gentleman in charge of some 100 tarpons in a pond. When we went to see these they could not be seen and when we investigated the reason we found that they had gone before we came had frightened them away and the tarpons had gone somewhere else.

I feel this is the time of development, Sir, and if we are to develop let us start the development business and then when the people see development is going on I think they will be more responsive with regard to Income and other taxes.

It has just been said that we cannot get the people we want as quickly as possible and if we are going to frighten them a

may get small fry but we may not get tarpons. In this age we want men and women who will be able to deliver the goods and, going back to this development in which we are so interested and want to see go forward, I hope, Sir, we shall get people who are capable: people, who can be attracted to this country and not be frightened away by Income Tax, small salaries, etc. We do not want clerks or cooks or waiters out here to do engineering jobs and be round pegs in square holes just because of the Development Scheme; but we do want people who are fitted for the jobs, people who are able to deliver the goods, and if we are going to do that I think we should not frighten them at this first stage of development by letting them know a thing like increased Income Tax, which is not very encouraging, is in Nigeria even before they come out. I think much has been said on that and I rise, Sir, to oppose the Bill. I think it should not come in for some time yet. Let us catch tarpons now and not small fries.

The Third Lagos Member (The Hon. A. Adedoyin):

Your Excellency, my constituency is comprised of wage-earners and as it happens they agitated some time ago for an increase in the Cost of Living Allowance and a Commission of Enquiry was sent to Nigeria from England to go into the matter, and the report has not yet been published, the recommendation (if there be any) we do not know yet. (*The Honourable Member was inaudible*).

There are several ways by which Government might find money if money is needed, but as the Honourable the First Lagos Member has said, our people believe in seeing things before they know what to do about it and that is true. We want to see first what is happening. During the war, the people were asked to contribute money and they contributed willingly. When we found that the war was going on, we knew we had to undergo certain hardships and we contributed a great deal from our widow's mite, and contributed our quota by way of voluntary contributions to the Benevolent War Funds, etc., and I just say that that is a very good thing. But wouldn't voluntary contributions be a very good foundation for these development schemes?

As we do not know exactly what the recommendations of the Cost of Living Allowance Commission will be, the people say that the wages paid them are quite inadequate and today everything is at a standstill. Yet, here is a Taxation Bill. I doubt very much, Sir, even in the very civilized part of the world whether an increased taxation would be welcomed. I say it is not welcomed at all by my people. Not that we refuse to pay tax, but we have no assurance whatever to make us believe that we are going to have money to pay the increase. We have not got it. Again, the people who are interested in the transport business have to contend with the difficulty of transport control and yet their tax is to be

increased. I say, Sir, that the time is absolutely inopportune and that these tax increases should be deferred until the people can see what is being done and they can decide whether it should be 50 per cent or 25 per cent. Then we can consider the amendment but at the moment we cannot consider it at all because we have not got the money to pay.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

Your Excellency, I come from a Province composed largely of wage-earners. I must say that I myself am a Tax Collector and during the collection in many cases I used to have the taxpayers arrested for 8s demanded from them and it is a fact that in most cases, it used to be noticed that they are having no cash in their possession than the 8s they endeavoured to get for tax. They even borrow from others in order to redeem them from trouble at the moment. These are the more transparent cases in Flat Rate Tax.

Now we come to the Income Tax Bill. Our people are no good traders as the people of Nigeria and the rest are employees of private firms and the Government.

The present question before Government is that the people are all dissatisfied with their earnings for they are unable to get all their requirements because their money is insufficient.

Now let us think of the Development and Welfare Scheme of this country.

I have been asking for Water Supplies, Electric Lights and many other things and it is true that these things cannot be got for nothing. If Light is supplied, a rate will as well be imposed and the inhabitants will have to pay for it, and so for all other things.

We have also been trying to encourage the people to work hard for recovery from the hardships and depression caused by the War and if we open channels to suck up what little they may be able to get for their recovery, there will be no hopes of their doing any thing good for themselves.

Another thing: I understood that it has been considered that provision was necessary to be made by an increase of salaries for employees with the object to improve their standard of living which at present is low, for with the present salaries, better housing and other amenities cannot be enjoyed.

Now with the increase of Income Tax, how can one expect to manage for a better standard of living.

I think the proposed Commission was to inquire into the situation and arrange the increment of salaries for these people according to their future improvement in life.

While investigating, if it can be proved that their income was sufficient or more than their demands in life then the Tax may be increased.

I am not against the increase of Income Tax as long as the payer is proved to have sufficient money, for personally I am very much desirous for progress and advancement in our country, but I do feel that the imposition of increase of Income Tax at this present moment is inopportune.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

Your Excellency, I did not intend to make any speech this morning but I cannot help support the sentiments expressed by the unofficial side of the House.

Some time ago the people of Lagos asked Government for an increase in the cost of living allowances, and Government not only bluntly refused to grant them increased cost of living allowance, but is now asking the very same people to pay an increase of Tax and I do not think there is any wisdom at all in that proposal. As I said before I did not intend to make a speech but I support the unofficial side of the House—it is definitely going to bring hardship upon the population and should be opposed.

The Member for the Rivers Division (The Ven. & Hon. Archdeacon E. T. Dimicari) :

Your Excellency, I feel I must support what former speakers have said. It is important that the people's happiness should be assured to a certain extent though we know that Government cannot satisfy everybody. Payment of Tax is unpleasant and has been so from time immemorial and I think that it would be more unpleasant at this time than any other time in view of the circumstances which surround Government today. There are many causes of the last strike but I think that the root of the cause was probably due to the feeling of what I should call the financial strain through which many people are passing because of their dependents. They have not money enough to meet their commitments. Now at this time their feelings are too unsettled to think of increasing Income Tax. I feel very strongly with other members that this is not the right time. We are all very anxious to support the Development Plan and we know that development cannot take place without money. We have financial experts in this House who will be able to advise other means of raising the necessary money. I think Income Tax should be our last resort. We should tap other sources and if in time we have not enough money to meet our commitments then it will be time to increase Income Tax. Sometime ago I thought that Europeans in the Government service were quite satisfied with their pay, but in recent times I have come to know that with their financial commitments here and in their homes they are in some cases leaving very little for saving, and in conversation with some

I feel that there is no possibility of our getting the best men out from England at this time—the men we need very much for our development work, if the scale of salary is not sufficiently high to induce them to come here to work, and if that is so this proposed increase of Income Tax is another way of keeping back the men we very much need at this time for development.

At the last Council we went over several things to be done and I thought that within a year we could get some of those things done but the qualified men to do this were not there and I was told they were unobtainable, and now I think that as the war is over and we want these men we should not place any obstacle in their way and should do all we can to induce men to come out from Europe to help us and at the same time to help our people here to work with a certain amount of satisfaction.

At the moment I think everybody knows that many of our people are unhappy. They are working because they cannot help it, and we like to see people working with a certain amount of pleasure but we do not get this out of our people now. I feel the time is too abnormal for us to increase Tax—let us wait for another time and I believe that then everybody will be able to pay increased Tax, and that happily. We have to remember that there are a lot of people unemployed in this country today, *e.g.* demobilised soldiers have increased the number of people unemployed and that is one difficulty that is facing us in this country. So many people are unemployed and no work for them, how do you expect them to pay tax. Some people have to enslave themselves before they can get money to pay tax, and to increase it at this time is not the best we can do for the country, so I want to join my voice with the others and say definitely that I feel very very strongly that this is not the time for an increase of Tax. Some other means of raising the necessary money should be found—perhaps through indirect Taxes but direct tax at this time will be quite unwelcome.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

Your Excellency, I rise to support all that has been said by the previous speakers in opposing this Bill and also in asking that we should be given more time to consider it. Since the publication in some local papers about this Bill, people have been saying that Government only put up the Ten-Year Development Plan so that they may be able to ask them to pay more tax. As I said sometime ago, it is the belief of the people of this country that when Government want money, they will put on paper for them to see, big and ambitious plan which probably will not be carried out for a long time. When the Secretary of State came to this country early in the year, one of the Unofficial Members of this House asked from him whether the twenty-three million pounds about which much has been said was going to be borrowed from somewhere, the Honourable Member did not allow the Secretary of State to reply

before he said further that if the money was to be borrowed, we should be left alone as we could not afford to receive at this stage any borrowed money. The Honourable Member said this because our people have already been suspecting the plan.

It is true that it should not be expected that when we require development we shall not need money to carry it through, but much money has been spent in the past which our people feel they have got no return for. I agree that something will have to be done to raise money, but I do not think by increasing Income Tax at this stage; after all we are still short of materials and skilled staff to carry out the plan. Many people have said so much about money coming into this country during the war, I maintain, Sir, that if it did at all, it only came into the hands of very few people and probably foreigners and not into the hands of indigenous Africans. I agree that money came into the country, but only to the foreigners some of whose tax for the year was paid by thousands of pounds, I cannot remember any African who paid anything like that. I endorse what has already been said by previous speakers that this Bill should be shelved for the time being, and if it should have to be brought in at all, it should be as a last resort. In the Bill the word "Company" was used generally. Does the Honourable the Attorney-General mean it to refer to every class of business in this country? I may be wrong but that is what I think.

The Hon. the Attorney-General :

Your Excellency, on a point of explanation, will the Honourable Member please refer me to the part of the Bill on which the point is raised?

If the Honourable Member cannot find it, I would say that in any Bill where the word "Company" is used, it means Company. Where the word "Individual" is used it means individual and where the word "person" is used it occasionally includes a firm or company.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

When the word "individual" was used I thought it referred to individual people only and not to people trading as business firms. We cannot compare ordinary business men with big companies trading with millions of pounds. That is what I mean.

I ask that the Bill should be shelved for the time being and I oppose it as have been done by other Honourable Members.

The Member for the Ibo Division (The Hon. E. N. Egbuna) :

Your Excellency, I am in the fortunate position of having heard practically every other member on this side of the House on the proposed amendment to the Income Tax Bill. One thing stands out clearly—nobody likes it, and I hope Honourable Members on the

other side will share our views. We all admit that the position is very ticklish because in principle we have endorsed the ten-year plan of development and welfare. In principle too, unless the money can be found for the purpose of carrying out development the whole scheme will fall through, but it is evident that unless the people have money with which to pay this additional Income Tax it will be possible for them to carry this burden. I think, Sir, it will be impossible for them to carry this burden. I think, Sir, on this side of the House that by inference of course nobody can seriously object to the Companies Income Tax being increased because quite naturally unless the Companies were in a position, and did in fact make money, they cannot pay. If a company reduces its activities because it does not wish to pay additional Income Tax, it will eventually go out of existence, but it is not the same with the individual. Many reasons have been advanced to the effect that it would be better to defer this increase until the development plan is under way, one of them being that it would be impossible to get out certain people for carrying out the work under the scheme. It is quite clear as some members have already pointed out that most of us are not in the position not only to pay what we already have to pay but to pay an additional increase. We are already finding life too difficult, and if the co-operative assistance of the whole people of Nigeria is necessary for the purpose of making this scheme a success, then I am sure that the time is most inopportune for this Bill. If Government would consider withdrawing that part of the amendment which affects the individual Tax it is quite likely that members on this side of the House would not object.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

Your Excellency, it will be remembered that at the last Session I stressed a point and that was that with the Development Scheme there should be development of trade. I said at that time that if the controls be removed and trade should start so that we have something like the boom days of 1918 nobody would mind, but I do not think we should be called upon for increased taxes to carry out the Development Scheme. It is because I felt that a Bill like this would be coming soon after our passing that Development scheme—that I suggested holding over the Scheme till we know how to get money to carry it out. Well yesterday, Sir, you exhorted us to exercise patience in looking forward to a change of things for the better in our country. I am asking you, Sir, in return and through you the Government, to exercise patience with us about this Income Tax Ordinance. If you say we have to be patient—well will you please be also patient until we get the money and then we shall be ready to pay the Tax. I would say that bringing this before us Government has raised a rod, and I am asking Government through Your Excellency to spare the rod.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan):

Your Excellency, I believe during the war everyone in this country was full of hope, especially the people in my Province. When we began to grumble we were told that it was because of the War and the difficulties and trouble would be removed after the war. Nothing of that kind is being done—well the people in this country, if your Excellency will allow me to say so, were just like a man suffering from acute rheumatic pains. While he was going to the Doctor he was told ' you will be cured in two or three weeks ' but in the meantime you have got to put up with it.

I know for certain that the man who opposes Tax opposes progress, but with regard to the Development for Nigeria I think we ought to move warily. As far as I know, Sir, most of the people do not like the way things are going on in Nigeria.

The Member for the Warri Division (The Hon. J. Ogboru):

Your Excellency, my people are really very grateful to the tax-payers in England for all they have done for us, especially at this time when they have to pay such an amount by way of taxation. All the same, Sir, my people feel that the time has not yet arrived when we can afford to pay any more Income Tax. What they are paying at the moment they pay because they have to, not necessarily because they are capable of paying it. There are some people who cannot even afford to pay what is being paid today. It is true that there was a lot of money spent during the war but I must confess that nobody seems to have benefited from it and it must have gone to a handful of contractors in the towns. Take for instance the ordinary labourer. What did he get from the enormous amount of money which we were told was circulating during the war? Nothing at all. What did the ordinary professional man get from the enormous amount of money that was in circulation in the world? Nothing at all. On the contrary I must say that the professional man of today only exists from hand to mouth. He has made nothing from the war. He has lost practice, he has lost his money, he has made no money whatsoever, and now he is being asked to pay Income Tax at the rate which is suggested in this Bill. How is he going to get it, Sir? It might be all right for the workers, perhaps, if they get their Cola although no one knows what the result of the Commission of Enquiry will be. But what about the ordinary people, the individuals who have to stand by themselves, making no money and then having to pay double Income Tax? I say, Sir, that if the Development Scheme materializes, as we all hope it will, and if our people see the development for the first two or three years and they realize that something good is being done for the country, I am sure that they will be willing even to put up with hardship and to agree to the increase because they all want good things and especially for their country. We agree that if we must have good things we can only have them by paying taxation. But

at the same time, let us first believe by seeing and then we shall agree to the suggestion of the increase in Income Tax. At the moment my people are very much dissatisfied with the Bill and I am asking now that it should be deferred.

The Commercial Member for Kano (The Hon. F. P. Mackenzie) :

Your Excellency, I should like to endorse previous speaker's views. I think the time is inopportune for this increase in Income Tax. The Development Scheme is just about to commence and a very large sum of money is going to be expended during the next ten years on the scheme. In order that Nigeria shall get 100 per cent benefit from the spending of this money it is essential that all staffs and Departments concerned should be very fully staffed with highly efficient and technical men. In order to get such technical staff I think some incentive will have to be given as there is a tremendous demand for labour all over the world just now. If an incentive is held out to these men it can only be increased pay and emoluments, and if that should be necessary surely it means that any income tax that is imposed now will be offset straight away by that added salary. I would like to say that the time is inopportune for this increase in Individual Tax.

The Hon. the Chief Secretary to the Government :

Your Excellency, when I came into Council this morning I had no intention whatever of intervening in this debate, and Honourable Members will no doubt wish that I had adhered to my intentions. While most of the arguments raised will be answered by the Honourable Mover, the Commissioner of Income Tax, some of the remarks which have been made I am afraid I cannot let pass unnoticed. Income tax is of course a very unpopular form of taxation. I should be a hypocrite myself if I pretended that I signed my income tax cheque with enjoyment and pleasure. I do not. It gives me just as much a pain in my Bank account as any other person, but we have to regard this from the point of view, not so much of the individual, but of the citizen of the country. Some of the suggestions that have been made, I think must have been made by Honourable Members without considering the implications of what they were advocating. I think Honourable Members said if I understood them rightly, that they object to this increase of income tax until they see what it is being spent on. They said "spend the money first and collect it afterwards" but this is, I think, rather putting the cart before the horse. The objects on which these moneys are to be spent are clearly shown in the Estimates which are before Honourable Members. Honourable Members can see for themselves exactly what we are proposing to spend the revenue on.

A great deal has been said about development. First of all, I think some anxiety was felt as to whether even the mere existence of income tax, let alone this increase, would dissuade candidates

from taking up appointments in Nigeria under the development plan. I think possibly Honourable Members have forgotten the analogous rates of tax which were quoted by the Labour Commissioner when he moved the first reading. I think he told us that a bachelor on £800 a year at present pays something like £37 a year in Nigeria over £100 a year in East Africa, and £240 a year in the United Kingdom. It seems, therefore, Sir, that even when our local income tax is doubled it will still be a very attractive place to come to from the point of view of Income Tax. Anyone from the United Kingdom will drop from £240 to £74, I still think it would be very attractive from the point of view of his taxation commitments.

Secondly, I think possibly Honourable Members have overlooked the great discrepancy in Income Tax at home and in Nigeria in connection with the very generous grant which has been made to this country by the taxpayers of England, and I wonder, Sir, whether we can say to the taxpayers of England "Yes, you are taxed at 9s in the £ and we are very glad to accept your money but we are afraid we cannot pay anything like so much as that" I do think we should make an effort to raise more money ourselves. I would not suggest that in a young country we should pay the same rate as is paid in a highly developed country but I do feel, Sir, that the discrepancy at the moment is rather too large. Some Honourable Members have suggested too that there are other ways of raising revenue which should be used before Income Tax but in my experience most of these other ways of raising revenue merely mean that you take money from the poor man, and leave the rich man largely unaffected. Up to date Income Tax is the only way that has been found of extracting direct tax from individuals according to their means, and it is only through Income Tax that we can ensure that the rich man pays his fair proportion. The question of Cost of living allowance was brought into this discussion by one or two Honourable Members. It is of course true that a Commission of enquiry is examining cost of living, but I do not think that has anything to do with an increase in Taxation for this reason, that as regards the working man who is particularly concerned even taxed at the revised rates is a negligible proportion of his cost of living—the lowest rate of 6s a year, that is 6d a month, can have very little effect whatever on his cost of living, or on the cost of living allowance. The reason why, Sir, the taxation is increased under clause XV of this Bill is to bring the Tax on those persons a little bit nearer to the direct tax paid outside Lagos in the Protectorate. There has been considerable discrepancy, and I think that Honourable Members will agree that the wage-earner in Lagos is by and large much better off than the primary producer in the Provinces, and the intention of the Bill is to see that the Lagos taxpayer should pay a tax which approaches more nearly the tax payable in the Provinces.

I imagine, Sir, that the Honourable Member for the Warri Division will welcome the news that this does not concern direct taxation in the Protectorate. This concerns the Income Tax only, and I am sure that Honourable Members from the Protectorate who represent the interests of the farmers and the farming community will be glad to hear that the wage-earners of Lagos will now be paying something nearer to what the farmers are required to pay.

Finally, Sir, the Honourable the Mining Member, I think asked whether this could be an occasion on which Your Excellency would allow a free debate. I am afraid Your Excellency is unable to do that, but on the other hand I have no doubt that while Official Members may regret as much as I do the effect on their pockets, considering the matter in principle, they have not been misled by some of the specious arguments which have been made against the Bill.

The Hon. W. B. Dare (Commissioner of Income Tax):

Your Excellency, Honourable Members are well aware of the reason for which the additional funds which will be raised by the Income Tax (Amendment) Ordinance are necessary. It has been suggested that these additional funds should not be raised by direct taxation but should be raised by other methods, particularly by indirect taxation. Indirect taxation always appears to me to be somewhat in the nature of having someone blindfold you and then asking him to come up and take money out of your pocket. I submit that it is a much higher civic consciousness which can pay its direct taxation cheerfully than the one which wants it added on to the price of the commodities which are purchased during the day so that it cannot see where the money goes. I quite agree that no one likes taxation, whether direct or indirect but the advantage of direct taxation is that a person cannot decide whether he is going to pay the tax or not. To some extent with indirect taxation, by refraining from purchasing goods which are taxed, one can reduce one's contribution to revenue. This is particularly so in the case of the person who lives for a short time in the country, accumulates money and does not spend it in Nigeria. That is the money which we particularly wish to tax and so to obtain contributions to the revenue of Nigeria from these foreigners who enter the country, make their money and who intend finally to get out and take it with them.

There has been some reference to, and I think some confusion between companies and individuals. A suggestion was made that the rate of tax on companies should be increased from 7s 6d to 8s. I think it should be realized that companies are not entities which have no individual basis. A company is a combination of individuals who subscribe money for shares and we tax the profits of the company. The profits of the company are divided among the individual shareholders so that ultimately in the case of a company the individual shareholder bears the tax which is charged

upon the company. So that whilst we are charging the companies 7s 6d in the pound, that tax will be passed on to and ultimately borne by the individual shareholders who to a very large extent live outside Nigeria. It is quite right that a person living outside Nigeria, investing his money here and then drawing dividends out of the country should pay more tax than the person who comes here and works for it and that is the effect of the additional tax on companies. It should not be forgotten that the tax is not directly borne by individual shareholders in so far as the funds are accumulated for further development of the company's business and for expansion.

Comparing the rates charged as between individuals and companies: 7s 6d in the pound is 37½ per cent of the company's profits. In the case of a single man his tax reaches only 10 per cent of his income on earnings of £1,500 and in the case of a married man with four children he would not pay 10 per cent of his income until he had reached an income of about £3,000. So that the percentages of tax which are paid on individual incomes are extremely low. Ten per cent is 2s in the pound and of course on incomes below those figures the rate varies downwards from 2s to 4½d. As I said yesterday, Your Excellency, the amounts of tax which are charged in the West African Colonies, some of which are low rather lower than that charged in Nigeria, are among the very lowest which are charged in the whole of the British Commonwealth and even with an increase of 100 per cent would still be materially below the average amount of tax charged by all the other Colonial Governments.

We have been told that the small businessmen have difficulty in existing and that the payment of this additional tax will be a very serious burden to them, but I would add that if a businessman has a business which is sufficiently large for him to pay any material amount of tax it must be a fairly substantial business. If he is a small African trader in Lagos he would have to pay only 4½d in the pound. I would submit that it is a gross exaggeration to say that an additional 1½d in the pound is going seriously to affect his business or his living conditions.

With regard to the question of people from overseas who will come to this country to assist in the development of the Colony, I think that the suggestion that the present rate of Income Tax would be a serious deterrent to them is greatly exaggerated. I do not think that people who have lived in Nigeria for some years and have been under the low rates of tax which have always been charged here fully appreciate the tremendous difference which there is between the rates of tax charged in Nigeria, in the other Colonies, and in Great Britain. Since I came to Nigeria at the end of last week, I have interviewed in my office two people, one an official and one a commercial man, who have just arrived from England for the first time and they came to see how much tax they would have to

pay next year. I gave them the figures and they could hardly believe it. They said that it was incredible that it should be so low. That is the reaction of people who have so far been paying income tax in other countries.

A reference was made to the professional man who has my deepest sympathy but perhaps I should say that if he is making no money his tax is nil, and even double nil is still nil.

The main objection put forward by most Honourable Members was not that some increase in tax will not be necessary but that this is an inopportune moment at which to make that increase. I cannot imagine any Bill to increase Income Tax being put forward in any country when that moment was not thought to be inopportune. I would suggest, Your Excellency, that now when we are entering upon a programme of development and when substantial amounts of money are going to be spent in the country we should make an increase in a tax which is a tax upon the profits which will be derived from trading or various other operations. It is not a tax on money circulated; it is a tax only on profits, and if additional profits are to be made through the expenditure of very large sums on development then the Nigerian expenditure towards further development should receive an adequate amount from those profits which are being made. I consider that with the Development Plan now going forward this is the most opportune moment for an increase in Income Tax.

Sir, I beg to move that the Bill be read a second time.

His Excellency:

Gentlemen, the question is that this Bill be read a second time. Will those in favour say 'Aye' and those against 'No'.

The Hon. J. G. C. Allen, Acting Commissioner of the Colony	... ..	Aye
The Hon. C. W. Reece, Acting Solicitor-General	...	Aye
The Hon. W. B. Dare, Commissioner of Income Tax	...	Aye
The Hon. W. C. C. King, c.m.g., Commissioner of Police	... ..	Aye
The Hon. N. S. Clouston, o.b.e., Commissioner of Lands and Director of Surveys	... ..	Aye
The Hon. E. A. Miller, Commissioner of Labour	...	Aye
The Hon. G. F. T. Colby, Administrative Secretary	...	Aye
The Hon. the Third Lagos Member	... ..	No
The Hon. E. W. Cannell	... ..	No
The Hon. the Commercial Member for Kano	... ..	No
The Hon. the Second Lagos Member	... ..	No
The Hon. the Member for Ijebu Division	... ..	No
The Hon. the Commercial Member for Port Harcourt	...	No

The Hon. the Member for the Egba Division ...	No
The Hon. the Member for the Ibibio Division ...	No
The Hon. the Member for the Ibo Division ...	No
The Hon. the Member for the Rivers Division ...	No
The Hon. the First Lagos Member ...	No
The Hon. the Member for the Warri Division ...	No
The Hon. the Member for the Oyo Division ...	No
The Hon. the Member for the Ondo Division ...	No
The Hon. the Member for the Cameroons Division ...	No
The Hon. the Member for the Colony Division ...	No
The Hon. the Member for Shipping ...	Aye
The Hon. the Mining Member ...	No
The Hon. the Member for Calabar ...	No
The Hon. F. E. V. Smith, Development Secretary ...	Aye
The Hon. the Director of Agriculture ...	Aye
The Hon. the Director of Public Works ...	Aye
The Hon. the Resident of Abeokuta Province ...	Aye
The Hon. the Resident of Onitsha Province ...	Aye
The Hon. the Senior Resident, Plateau Province ...	Aye
The Hon. the Acting Comptroller of Customs and Excise ...	Aye
The Hon. the Director of Marine ...	Aye
The Hon. the Director of Education ...	Aye
The Hon. the Director of Medical Services ...	Aye
The Hon. the Financial Secretary ...	Aye
The Hon. the Attorney-General ...	Aye
His Honour the Acting Chief Commissioner (Northern Provinces) ...	Aye
His Honour the Chief Commissioner (Eastern Provinces) ...	Aye
His Honour the Chief Commissioner (Western Provinces) ...	Aye
The Honourable the Chief Secretary to the Government ...	Aye

His Excellency:

That is 24 "Ayes" and 19 "Nos". The Bill will be read a second time.

Bill read a second time.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

You Excellency, I rise to move that the Bill be referred to a Select Committee to be appointed by Your Excellency.

His Excellency:

Is that agreeable, gentlemen?

Council agreed.

His Excellency :

In that case, gentlemen, I propose with your consent to appoint the following Select Committee:—

- The Hon. the Attorney-General (Chairman).
- The Hon. the Member for Calabar.
- The Hon. the Mining Member.
- The Hon. the Member for the Ibo Division.
- The Hon. the Member for the Ijebu Division.
- The Hon. W. B. Dare, Commissioner of Income Tax.

THE 1946-47 APPROPRIATION ORDINANCE, 1946

The Hon. the Financial Secretary :

Your Excellency, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to appropriate the sum of eighteen million four hundred and fifteen thousand six hundred and forty-five pounds to the service of the year ending on the thirty-first day of March, one thousand nine hundred and forty-seven.”

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

I beg to second.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.) :

Your Excellency, I am supporting the Appropriation Bill which has been so well and magnificently proposed by the Honourable Financial Secretary to the Government, and seconded by the Honourable Development Secretary. The mover of this motion has exhaustively and in an expert manner surveyed the whole financial position of the Government—both the revenue side as well as the expenditure. This is admitted to be a record budget indeed being the first after the end of hostilities as well as the largest in magnitude in the history of this Council. We therefore congratulate the Honourable Financial Secretary for presenting us with such a balanced budget. I notice that the Financial Secretary is very optimistic about the future position of the finances of this country, and everybody seems to feel complacent. Yet with the relaxation in the petrol situation and the consequential increase in motor transport and traffic, our railway revenue may fall. Also, with trade not returning soon to normal, with restrictions on export and import from and to this country our financial position is not so rosy as it first appears. At any rate, Sir, We shall have the opportunity of examining the estimates in detail when we are in Select Committee, Department by Department. Now with regard to Your Excellency's printed address and the speech laid on the table of this Honourable House yesterday, I have one regret, and that is, Your

Excellency's written address did not reach me until yesterday morning and I know further that quite a number of Unofficial Members had their copies of this address only after the morning session yesterday, and therefore, Sir, it is difficult for one to go through such a voluminous masterpiece in a night and to make effective comments upon it, especially as the greater part of my night was spent in feasting at Government House. You will therefore pardon my shortcomings, unpreparedness and when my speech seems disconnected. A glimpse through Your Excellency's written address convinces one of the seriousness of the task this Government has undertaken for the welfare of this country, and the need for adequate personnel and material becomes most urgent. We appreciate the Bills contingent on the ten year plan for the development and welfare of Nigeria especially the Loan Bills. We trust our Press will give sufficient publicity to the implications of these Bills, and invite the public of Nigeria to invest confidently in the scheme.

It is mentioned in that Address that the Tonnage of Palm Oil and Palm Kernels in the Eastern Province offered for export in 1945 showed a disappointing decrease. Your Excellency, one of the contributory factors to this decrease is the fact that individual native traders have no quota to export these primary products by themselves and I have spoken with stress before to the effect that something should be done by Government to lift this control so that people might be afforded sufficient facilities to export and import commodities in which way they will be spurred on to do more business.

Now, Your Excellency further mentioned that no progress has been made with the proposals for municipal reform in Calabar. I shall refer to this matter in the course of this speech.

We heartily congratulate Your Excellency for such an elaborate address. Your speech delivered yesterday was forthright, unequivocal and corrective and we associate ourselves intimately with the sentiments expressed on the passing away of Lord Lugard, one of the pioneer Governors of Nigeria—one to whom we can safely attribute the laying of the foundation stone of the political life and the expansion work of this country.

I shall leave the question of Cost of Living Allowance severely alone until the release of the report of its Commission. I trust greater emphasis will be laid on the adjustment of salary scales of the employees. I think that the pay of the employees in Nigeria wants definite revision and I must say further, Sir, that personally I do not think that their pay is sufficiently adequate. There is one mistaken idea however, which must be corrected. Most people enter Government service, and for that matter any other service, with the motive of getting rich and not so much to serve. When this their aim is not realised they lose interest and become unhappy

at their jobs and cause a great deal of uneasiness to themselves and to other people. It should be made definitely clear that Government service is not the road to wealth. In all countries the wealthy class is composed of independent manufacturers, traders, farmers, etc., yet I do think that employees should receive adequate salaries commensurating with the time and energy they spend, so that the best type of people might be attracted to our service.

Your Excellency, I have nothing to add to your observations on the freedom of the Press. Suffice it to say that we exhort the pressmen of this country to take Your Excellency's observations in the best spirit, and I feel they will thereby be copiously rewarded. The press should operate for the good of all, educate and lead the public, extol that which is good and noble for the emulation of all, and should not be damnatory, calumnious and scurrilous simply to enhance the sale of their papers. I want to see more constructive criticisms in the Press, Sir. I am happy also to note that Your Excellency is becoming increasingly conscious of the cleavage of interests and outlook between the provinces of Nigeria and Lagos. There is indeed a wide cleavage bordering of unbridgeable gulf. Lagos is the centre of Government and Commerce—it is so lofty and important that compared with it the rest of Nigeria pales into insignificance and nothingness. Much of the Nigerian Revenue has been spent to give the capital city this prominence. Last January we especially requested the Right Honourable Secretary of State for the Colonies not to say in England on his return that he saw Nigeria, for he had only been to Lagos, and he agreed.

Your Excellency, I hope that under the ten-year development plan the rest of Nigeria will receive their due share and consideration. Without meaning parochialism, I now refer to Calabar, the historic and ancient capital of Southern Nigeria, she should now be developed. Her waterways and harbour should be dredged, her town replanned, slums cleared and her swamp reclaimed. In view of the big volume of business anticipated to go through her as the result of the opening of the Calabar-Mamfe road and the Cross River she is definitely going to play an important role in the life and growth of the Eastern Provinces and the Cameroons. She will act as the co-ordinating centre for this area. I appeal to the Director of Marine to build a larger and stronger wharf. The present wharf is definitely senior and older than both Port Harcourt and Apapa Wharves.

I take this opportunity to refer to the Agriculture Department. Your Excellency, it is an indisputable fact that the life of this country is interwoven with the cultivation of the soil, and we are therefore insistently appealing to Government to endeavour to extend the activities of this Department due East. The people in the East like farming, it is their definite inclination, and they should be encouraged. Individual farmers as well as co-operative bodies

should be subsidised. I hope to contact the Director of Agriculture on this point. What I say about this Department, Sir, holds good in respect to Forestry and Veterinary Departments.

I will now say a few words about the Education Department. This Department was rather hampered by the fact that the Commissions on Education did not release their reports in time, for upon these reports the framing of its plans depended. Now that all is over we trust efforts will be expedited to catch up the arrears of work. We want centres of training for training teachers for Elementary and Primary Schools, Secondary Schools, Colleges and Industrial Training Centres. We ask for better conditions of service for teachers, particularly Government teachers who belong to the classroom. There has been much disparity and much discontent of late between the classroom teachers in the Government service, and the travelling teachers who have greater prospects.

Your Excellency, I refer now to the Labour Department. This Department has definitely justified its existence by the amount of social services it is rendering. I wish the organisation could be extended to the East especially the work of the Employment and Juvenile exchanges. The Commissioner of Labour should be a little more mobile for we want him as often as possible in the Provinces to enlighten the people on the work of the exchange. Some time ago Mrs Cook of the Employment and Juvenile Exchange visited the provinces and contacted us in Calabar. She met with representatives of the Government, merchants, press men and people of the town and during her visit a decision was taken to establish an Employment and Juvenile Exchange in Calabar. A site was acquired for the building of the office, an amount for which was inserted in the estimates to implement that decision—not only for Calabar but for Onitsha. We entertained the hope that our objective was materialising, but to our utter amazement the whole scheme was scrapped and I learn lately that a Selection Committee situated at Enugu was appointed to substitute this project so that would-be employees have to travel to Enugu to be selected for employment. The questions are, who gives them their fares to and from Enugu and if they are not fortunate enough to be selected who is going to pay for them to come back, and where will they lodge whilst there? Enugu in this way will be a second Lagos with a large army of unemployed parading its streets and I hope the Honourable the Commissioner of Labour and His Honour the Chief Commissioner for the Eastern Provinces will clarify these points when they come to respond. It will be very interesting and educative if the Unofficial Members will include the Labour Department and the Employment and Juvenile Exchange among the places of importance to be visited after the Budget. I here pay much tribute to the Commissioner of Labour and extol the excellent work of Mrs Cook.

Your Excellency, we associate ourselves with you in paying tribute to the record service of the Police Force during the war years. Though under-officered they were able to control and work under all kinds of conditions. It is very gratifying to know that their conditions of service are under review for improvement of salaries, uniform and general amelioration. We pay special tribute to the Commissioner of Police whose leadership has been very commendable. His sympathy with the rank and file of the Police Force has endeared him to all. We would appeal to him for more senior Police officers for Calabar Province, even one to control Abak-Opobo-Ikot Ekpene area, not only during this critical time of the reign of the Leopard Society, but permanently. We think also that it is time to scrap control posts for transport throughout Nigeria. The war is now over and Government has contemplated relaxing the duty on petrol for economic reasons and this measure will mean more transport and much more consumption of petrol and a greater turnover by the Customs Department. To continue rigid control at several control posts will not only be redundant and waste of useful personnel but would work against the expected revenue from petrol.

Your Excellency, my unpreparedness leads me to be disconnected in my speech. I want now to refer to marriage gratuities. I believe, Sir, that in Britain a woman's age of retirement from Government service is 45 years and after serving for the number of years which entitles her to pension and gratuity she is given the option of resigning without reaching the age limit of 45. Here in Nigeria, Sir, she has no option; she must either reach the age limit of 55 or be invalided before she can receive pension and gratuity. My object here, Sir, is to ask Government to see that the privileges operative in Great Britain are made operative here. While on this point, Sir, let me make allusion to the want of prospect in the conditions of service of female telephone operators, designated Telephone Attendants. These girls sometimes come from outside Lagos. They are offered £2 per month rising by £3 to a maximum of £36 per annum. Just think for a moment, Sir, about the extortionate rents and high cost of living in Lagos. These girls must be neat and decent. Your Excellency, their condition should be re-considered, otherwise they will fall victims to insidious temptations. Their opposite numbers in the Posts and Telegraphs Department doing the same job and spending the same number of hours, have better prospects in that they could become eligible for promotion to Telephone Operators when they would rise to a maximum of £128 per annum. It does not seem fair and just, Sir, for these Telephone Attendants to receive £36 per annum in perpetuity.

I would now, Sir, refer to the Native Authorities. Your Excellency, I respectfully and emphatically repeat what I said last year in this connection, probably with some further amplification

about the growth of this institution in the Protectorate of the Eastern Provinces of Nigeria. So many factors militate against its development. The leading handicap is non-co-operation on the part of some of the Administrative Officers with the indigenous natives, especially the members of the Native Authorities, the dictatorial attitude of some of these Administrative Officers and the lack of mutual confidence which results from this attitude. Unless adequate and effective steps are taken, Sir, to restore this confidence so that they can co-operate and work together with the requisite amity and harmony it will be impossible for this institution to grow. The Native Authorities will only be successful as tax collection machinery and no more. Here is a concrete example: In a certain area in the Eastern Provinces the question of re-organisation of the Native Courts as well as that of the Native Authorities came under serious consideration. The District Officer held one view and the people held another. The Members of the Native Authority held that they should function and that the Administrative Officer, District Officer in this case, should act in an advisory capacity to them. The District Officer held just the contrary view. He would not concede to the views of the people while the people conceded to most of his. Your Excellency, a strained relationship ensued. I want to say, Sir, that this shows inexperience on the part of the District Officer. I say these things not with the motive to show this particular Administrative Officer or any other in a bad light: it is with one sole object of pointing out a situation which is non-progressive. For all I know this may be done with the best intentions, but the position must be remedied, Sir. Again I say, Sir, that some of these junior Administrative Officers are sooner ready to believe their own house boys and cooks than the chiefs and Members of the Native Authority, forgetting that they are their employees and the inmates of their houses and are out to please them. Some Administrative Officers are not open to advice even in the matters of Native Laws and Customs; they claim to know more than the people themselves. This is a definite monopoly of wisdom.

Allow me to introduce at this point a cognate matter of some import. I refer to the Municipal Reform of the Calabar Township, to which Your Excellency referred in your speech. This question was introduced in 1943. Some of the different elements of the town accepted it, but the Native Authority thought it would usurp and take away from them their position and dispossess them of their properties. The then District Officer wrote a memorandum on the matter which was given publicity in the Press. More elucidation on the issue was given to the Chiefs and at long last they accepted the whole principle with slight amendments. They accepted the principle of rating and the placing of strangers on the executive side of the organisation, and appointment of strangers as accessors to the Native Courts, whenever cases involving the interpretation of

the Native Laws and Customs of any particular stranger community were to be considered. The District Officer ignored all this and gave them no credit whatsoever, he set aside what his predecessor had done, and acted on his own. This left the people no further than they were in 1943 when the subject was first introduced. In such a state, Your Excellency, the people are just like clay in the hands of a potter. One potter fashions it in his own way, another succeeds him and destroys what has been done and gives it another mould to his own fancy. There is want of continuity of policy and method. The people often ask, "Did the former District Officer not know what he was doing?" Sir, under such circumstances growth is impossible. I suggest that the Administrative Officers should trust the people and let them work their institutions their own way—let them make mistakes if mistakes are to be made. They will profit by experience and the District Officer will act as a potential Adviser and teacher. The District Officer is too anxious to do everything by himself so as to be able to present a good report to and receive the approbation of the Resident, who in his turn likes to present a good report to the Chief Commissioner. These men are playing with the most sacred of things—the growth of a people. I say this because our constitutional reform, popularly called the "Richards Constitution", can only succeed if the Native Authorities are what they should be, because they are going to form the very foundations for the Regional Councils and the new Legislative Council, and if a sound foundation is not laid at this time I fear, Sir, that we shall never progress.

With these few observations, Your Excellency, I fully pledge our co-operation and our loyalty to the service of this country. With these remarks and observations, I support the Appropriation Bill.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan):

Your Excellency, I was not in Nigeria when the Development Plan was passed by this Council, but at the Select Committee meeting held before then I agreed in to-to to all that was discussed. I have had a copy of Your Excellency's address about a week before now and read and mastered the contents carefully. I feel, Sir, I must join you in paying tribute to that great man Lord Lugard for his great work in Nigeria. Without the system of administration laid down by him what would have become the position of the native rulers and their administrations today? His name will live as long as the name of Nigeria exists. I knew Lord Lugard when I was a very small boy and when he became Governor-General of Nigeria and that I say is not a repetition of what Your Excellency has said about him.

The reference in your address to certain section of the Press is carefully noted and I can only offer my poor and humble advice to

that Press in the popularly known biblical language that is ' Go to the Ants thou Sluggard, consider thy ways and be wise '.

I have referred to our Mission to the Gold Coast, *i.e.*, the delegation that had its members, Mr Abell (District Officer, Ibadan), Chief Akinyele and myself. From Accra we did not travel more than 25 miles before we began to notice the dead cocoa trees destroyed by the Swollen Shoot disease, and arriving at Tafo a distance of 65 miles to Accra, we started on our work the following day; we first did a travel of 40 miles, the second day 25 and the third day 35 miles, etc. We saw the devastation wrought by the disease. At Tafo, we held a meeting at which it was decided the best steps to be taken to arrest the infection of the disease and since our return to Nigeria, the native authorities in several areas have been visited and all agreed to take strong measures to control the swollen shoot disease.

Your Excellency; I have travelled so much in the interest of my constituency and only two weeks ago I undertook one. Every where I went, the people clamoured for telegraphic communication, telephone, water, light, medical facilities, education, etc., for example, I asked one of the Area Councils visited whether it was prepared to pay for the amenities it wanted and at once it showed me the increase in its tax collection from £3,600 to £4,500, and this place is Ikire and what applies to this area applies also to other centres. People everywhere now are growing impatient, whatever amenity the large town has the small town also wants and prepares to pay for it.

Your Excellency; sometimes ago, His Honour the Chief Commissioner, Western Provinces, invited five Obas in the Western Provinces to a meeting and discussed taxation with them and from what I knew all other Obas that were not so invited were not slighted nor can it be inferred that His Honour underrated their importance, but the Press described these five Obas as the big Five which fact enraged the feelings of the Owa of Ilesha and his Council who, during my last visit called my attention to it. Although I did all that I could that the Government did not mean or does underrate his position or the Ijesha Council and the Owa insisted that I should bring the matter to the notice of Your Excellency.

Sir, another matter to which my attention was invited by the Owa and Council was the tax paid by the foreign natives living in Ilesha to the Central Government. The Ijesha Council assumes that this ought to be paid to its Treasury. I explained to the best of my ability the condition obtaining elsewhere but in view of the present development plan, it would be nice if the Government will reconsider this matter.

Secondly, my attention was called to the destruction of cocoa trees in the mining area for which 1s 6d was being paid for a tree.

This, the Ijeshas, contend is too low and I agree with them. It would not be out of order if 3s 6d to 5s is paid for a cocoa tree so destroyed.

Sir, I come now to what I choose to call the School Uniform bogey. The Education Authorities appear not to care so much or have feelings for the parents who send their children to school. It is high time the school uniform should be made to be one, *i.e.*, where locally made cloth is found to be cheaper than the imported one, the former should be preferred.

Labour.—The cost of production of cocoa is a matter which for long has been taking the attention of the Government and this to certain extent was responsible for the agitation for increase of cocoa price. Some years ago, it would not be wrong to assume that the present price pays the farmer because he could get members of his family to work in his farm, but today this is not the case. Most of the farmers send their children to school and consequently are deprived of the help they used to receive in former years; for this reason I humbly suggest to Your Excellency to take the farmers to your confidence, have a round table conference with them over the price fixing; the farmers want a price that will pay them after paying the cost of labour to those who assist them in the farm from year to year.

Development Scheme.—I bring these two articles to Your Excellency to see; during the war, our people have shown that if given opportunity, they can manufacture some of the articles we import from England. The Rim-Lock and Knife are examples of what they can do. They have been able to make Kettles, etc., and given better opportunity under the development scheme, I am sure they will do better.

There is one important thing I would like to call Your Excellency's attention and that is in connection with the system of sending applications to the Local and Provincial Committees for road making. Supposing a road is wanted in Ibadan District or Ogbomosho, Ife, or Ilesha, the district concerned will submit its application to the Central Native Authority and this Authority in turn sends it to the Provincial Committee and, if in the opinion of the latter Committee, the application is not the one that can be treated as one of the privileges, that is the end of it. This system is causing a great deal of trouble in my Division. People who want roads think this procedure is not good in their interest and I appeal to the Honourable the Development Secretary to find a way out to meet the demands of the people in the way they understand.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Your Excellency, in view of the fact that Members on the Unofficial side only receive your Address yesterday and therefore

were unable to deliver their speeches today, I would move that Council be adjourned until tomorrow morning.

His Excellency :

I would like to meet the wishes of Honourable Members if they want to do that. Are Honourable Members prepared to go into Select Committee this afternoon, or do they want the whole afternoon off?

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

It is the wish of Honourable Members not to sit this afternoon.

His Excellency :

In that case would Honourable Members like to allow the Honourable Member now speaking to finish this morning? I take it he can finish in half an hour.

Agreed.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan):

Before taking my seat, there is one more point I would like to draw Your Excellency's attention and that is the advertising of vacancies. An African who served in a certain Department for 20 year or more, with a good record of service ought to be given a chance to mount up in the Department whenever a vacancy occurs, but now that is not the case. Instead, he is being allowed to be passed over by someone from another Department. I respectfully ask your Excellency to consider the matter seriously.

Council adjourned at 12.42 p.m. until 10 a.m. on Wednesday, the 20th of March.

The first part of the report is devoted to a general statement of the progress of the work during the year. It is followed by a detailed account of the various experiments and observations made during the year.

The second part of the report contains a list of the names of the persons who have assisted in the work during the year. It also contains a list of the names of the persons who have been employed in the various departments of the work.

The third part of the report contains a list of the names of the persons who have been employed in the various departments of the work. It also contains a list of the names of the persons who have been employed in the various departments of the work.

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The thirteenth part of the report contains a list of the names of the persons who have been employed in the various departments of the work. It also contains a list of the names of the persons who have been employed in the various departments of the work.

Debates in the Legislative Council of Nigeria

Wednesday, 20th March, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Wednesday, the 20th of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.

- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable J. Ogboru.
- The First Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.
- The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.
- The Member for the Ijebu Division,
The Honourable T. A. Odutola.
- The Second Lagos Member,
The Honourable I. Olorun-Nimbe.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

The Honourable E. W. Cannell.

The Third Lagos Member,
The Honourable A. Adedoyin.

EXTRAORDINARY OFFICIAL MEMBERS

The Honourable G. F. T. Colby,
Administrative Secretary.

The Honourable E. A. Miller,
Commissioner of Labour.

The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.

The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.

The Honourable W. B. Dare,
Commissioner of Income Tax.

The Honourable C. W. Reece,
Acting Solicitor-General.

The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.

The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.

The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.

The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.

The Senior Resident, Ilorin Province,
Captain the Honourable J. P. Smith.

The Resident, Ondo Province,
The Honourable E. V. S. Thomas.

The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.

The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.

The General Manager of the Railway,
The Honourable A. J. F. Bunning.

The Honourable E. A. Carr,
Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 19th of March, having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 10-12 by the Honourable the Member for the Ondo Division, No. 25 by the Honourable the Member for the Cameroons Division, Nos. 30 and 34 by the Honourable the Member for the Calabar Division, Nos. 35, 37, 39 and 42-48 by the Honourable the Second Lagos Member, Nos. 49, 50, 54, 59, 62, 64-65, 67-68, 70-73, 75, 79, 86-91 and 93-94 by the Honourable the Second Lagos Member, Nos. 97, 99 and 102 by the Honourable the Member for the Oyo Division, Nos. 106 and 110 by the Honourable the Member for the Ijebu Division and Nos. 114-116 by the Honourable the Member for the Rivers Division are not yet ready.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

13. To ask the Honourable the Chief Secretary to the Government:—

(a) What amount has been allocated for the establishment of Reading Rooms in each Province?

(b) How many Reading Rooms have actually been constructed from these funds?

(c) How many are in process of construction?

(d) In cases where Reading Room Accommodation has been provided by the people themselves, may they not be permitted to utilize any funds allocated, for providing furniture and books, etc.?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Northern Provinces	1944-45	1945-46
	£	£
Adamawa	185	615
Bauchi	35	1,000
Benue	600	500
Bornu	200	750
Ilorin	240	420
Kabba	—	1,200
Kano	—	1,150
Katsina	300	650
Niger	225	350
Plateau	300	750
Sokoto	150	540
Zaria	500	1,025
	<hr/>	<hr/>
	£2,735	£8,950

Western Provinces

	£	£
Abeokuta	250	655
Benin	250	450
Ijebu	250	860
Ondo	250	150
Oyo	650	2,010
Warri	250	1,200
	<hr/>	<hr/>
	£1,900	£5,325

Eastern Provinces

	£	£
Calabar	400	750
Cameroons	—	300
Ogoja... ..	180	300
Onitsha	550	2,170
Owerri	427	800
	<hr/>	<hr/>
	£1,957	£4,320

	£	£
Colony	363	481

(b) Northern Provinces 23, Western Provinces 16, Eastern Provinces 27, Colony 4.

(c) Northern Provinces 59, Western Provinces 5, Eastern Provinces 17, Colony 1.

(d) In cases where Reading Room accommodation has been provided by the people themselves, funds may be allocated by the Public Relations Officer for furniture and books.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

26. To ask the Honourable the Chief Secretary to the Government:—

Will Government consider providing houses or house allowance for Government employees in Lagos, as is done in the Provinces?

Answer—

The Hon. the Chief Secretary to the Government:

The question is not fully understood as it is not the general policy of Government to provide houses or house allowance in lieu for its African staff, whether in Lagos or elsewhere.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

41. To ask the Honourable the Chief Secretary to the Government:—

(a) Why petrol is not rationed here in Nigeria according to the horse-power of the car as it is done in England, in view of the fact that the higher the horse-power of the automobile, the more petrol the vehicle will consume?

(b) What is the system adopted in Nigeria of rationing petrol?

(c) What is the price per gallon at which motor spirit or petrol is sold to government officials who are drawing motor car allowance by Government Departments which store petrol?

(d) What is the difference between the Government Department price per gallon and the price at which local commercial houses sell petrol to the public per gallon?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The horse-power of every motor vehicle is taken into account in assessing petrol rations.

(b) The principles governing the petrol rationing system in force in Nigeria are laid down in paragraphs 127-141 of the " Motor Transport Manual " issued by the Controller of Motor Transport and published by the Government Printer, Lagos, in 1943. The necessity for ensuring that motor transport is used with the utmost economy is no less pressing to-day than it was during the war since, while petrol is in freer supply, the shortage of tyres is acute and is likely to remain so for a considerable time.

(c) Two and sixpence per gallon.

(d) This varies from twopence per gallon in Lagos to elevenpence half-penny in parts of the Northern Provinces.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

55. To ask the Honourable the Director of Public Works :—

(a) Whether it is the intention of the Government at any time to hand over the Electric Department in Lagos to private enterprise?

(b) If not, whether Government will not, sooner or later, hand over the whole of the departments of Electric Light and Power to the Lagos Town Council?

(c) To ask what is the total expenditure of the Department for the twelve months ending December 31, 1945, and the revenue collected by the Department during the same period?

Answer—

The Hon. the Director of Public Works :

(a) and (b) No, Sir. The Honourable Member is referred to the Recommendations of the Select Committee on the Development Plan, which was accepted by this Council, and which endorsed the proposal for all Government-owned Electricity undertakings to be transferred to a Government Electricity Corporation.

(c) The figures are not yet available.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

56. To ask the Honourable the Director of Education whether Government has totally abandoned the original scheme proposed for the Higher College at Yaba according to the plan and perspective drawings prepared and exhibited in the Public Works Department at Lagos about fourteen years ago which was to have cost about £150,000 before it was altered to the present establishment which

only cost about £40,000, and leaving a very large area of the proposed site to become at present unoccupied and over grown with bush?

Answer—

The Hon. the Director of Education :

The original scheme has been modified for a variety of considerations which are set out at length in the Report of the Commission on Higher Education in West Africa (Cmd. 6655). The Honourable Member's attention is invited more particularly to Chapters IV and VIII of that Report.

The suggestion that a large area of the original site is to be "unoccupied" and to become "overgrown with bush" is incorrect. The greater part continues to be used for educational purposes though some 35 acres have been handed over to the Army in order to establish a military hospital.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

61. To ask the Honourable E. A. Carr, Commissioner of the Colony when will the new Ikoyi Christian Cemetery be ready for the use of the Public, and how much has already been realised from the increase of the fees for grave spaces to twelve shillings and sixpence each and eight guineas for a tomb space, to meet the cost of the purchase of the area of land acquired for the new cemetery?

Answer—

The Hon. E. A. Carr (Commissioner of the Colony) :

1. The site of the new Cemetery, which is for all religious denominations, is now being cleared and, will be ready, if required, for use in a month or two after which it will still be necessary to provide a proper access road, paths and fencing.

2. The amount received in increased charges for the Cemeteries on Lagos Island over and above the amount which would have been received at the old rates is estimated at approximately £6,800. It should be added that the charges were increased in January 1941 not only to meet the annual charges on the loan raised for the new cemetery, but also to make all cemeteries self-supporting, a condition of the loan. Repayment of the capital and interest on the loan will total £11,243.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

63. To ask the Honourable the Chief Secretary to the Government:—

(a) What is the date of the establishment of the labour exchange at Oko-Awo, Lagos?

(b) What is the total number of persons seeking employment who have been registered at that exchange?

(c) How many of these numbers have succeeded since in securing employment through the efforts of the exchange (i) in the service of the Government (ii) in the mercantile service (iii) in the Marine Department or mercantile vessels?

(d) How many male persons and how many female persons registered at the labour exchange?

(e) How many demobilized soldiers have been registered at the exchange since the end of the war?

(f) How many have been employed since through the exchange and in what departments or trades?

Answer—

The Hon. E. A. Miller (Commissioner of Labour):

(a) December 9, 1943.

(b) 33,678.

(c) (i) 4,781.

(ii) 3,480.

(iii) 417.

(d) Registered male persons 63,941. Registered female persons 505.

(e) 18,360.

(f) 5,837 demobilised soldiers have been placed in employment as shown in the subjoined schedule.

Tradesmen	Total Placed in Employment
1. Blacksmiths	48
2. Carpenter	203
3. Drivers	436
4. Electricians	38
5. Fitters	93
6. L/Workers (including Trimmers) ...	7
7. Mechanics (including Workshop Assistants and Engine Hands) ...	61
8. Masons (including Concretors) ...	89
9. Operators (including Wireless Switch Board and L/men)	84
10. Painters	39
11. Plumbers	4
12. Signallers	25
13. Clerks (including Storemen)	671
14. Nursing Orderlies (including Lab. and San. Assistants and Dispensers)	208
15. Schoolmasters	7
16. Tailors (including Textile Refitters)	13
17. Miscellaneous	378
Total Tradesmen	2,404
Total non-Tradesmen	3,433
Grand Total	5,837

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

69. To ask the Honourable the Director of Medical Services whether it is the intention of Government to take early steps to combat the increase of tuberculosis in Lagos by erecting proper

isolated buildings outside Lagos where the ravages of this disease could be well attended and so check its spread within the Municipal area of Lagos?

Answer—

The Hon. the Director of Medical Services:

The problem of Tuberculosis is being accorded constant attention and will be the subject of special enquiry by a Tuberculosis Officer expected to arrive shortly. The location of sanatoria will be finally decided on his advice.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

74. To ask the Honourable E. A. Carr, Commissioner of the Colony how soon can the public expect the total abolition and cancellation of the Native Food Control System known as the "PULLEN SCHEME" in Lagos?

Answer—

The Hon. E. A. Carr (Commissioner of the Colony):

As announced in a Press Notice published on the 26th of November, 1945, in order to encourage the return of trade to normal channels there has been a steady reduction in supplies provided through the Pullen Markets from that date. Stocks of foodstuffs are being progressively reduced to the minimum necessary to safeguard against any food shortages that may arise before the next harvest, after which it is hoped to wind up the Lagos Market Scheme.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan):

101. To ask the Honourable the Director of Public Works:—

(a) How many Technical Assistants are now in the Public Works Departments, stating the number in the North and South of Nigeria respectively.

(b) How many Technical Assistants are drawing their maximum salaries now.

Answer—

The Hon. the Director of Public Works:

(a) Forty-nine Technical Assistants. Eighteen in Northern Provinces, thirty-one in Southern Provinces.

(b) Nine.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

108. To ask the Honourable the Director of Public Works:—

Is it a fact that an estimated expenditure of £150,000 was approved for the sole purpose of improving the Ijora Sawmill some-time ago?

Answer—

The Hon. the Director of Public Works:

No, Sir.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

109. To ask the Honourable the Chief Secretary to the Government:—

(a) Is it the intention of the Government to introduce control of export of timber from this country, even now that the war is over?

(b) If so, what reason or reasons justify imposition of such a control at this time?

Answer—

The Hon. the Chief Secretary to the Government :

(a) It is necessary for the control of the export of timber to continue for some time.

(b) Export control has a two-fold purpose:—

(i) To ensure that adequate supplies of local timber are available for the considerable needs of Nigeria and especially the Development Plan.

(ii) To ensure that such exports are directed to best advantage having regard to the present world shortage of timber required for reconstruction purposes.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo) :

111. To ask the Honourable the General Manager, Nigerian Railway:—

Whether he will consider extending the accommodation for third class passengers, who are at present uncomfortably crowded, considering that that class of the travelling public constitutes the greater bulk of passengers using the railroad.

Answer—

The Hon. the General Manager of the Railway :

There are at present no third class coaches available for extending the accommodation of any passenger train, and difficulty is experienced even in providing adequate stock to convey demobilised soldiers.

Indents have been placed for thirty-two third class coaches of an improved type.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo) :

112. To ask the Honourable the Chief Secretary to the Government:—

(a) What is the reason for the delay in regard to letters posted between Lagos and Abeokuta and other places in the Western Provinces about which there have been many complaints recently.

(b) When will a house to house delivery of letters through the Post Office be commenced in Abeokuta and other important towns of the Western Provinces considering that complaints have been rife in those large centres of civilized communities in regard to retention at the Post Offices concerned of correspondence intended by senders to be delivered to the addressees.

Answer—

The Hon. the Chief Secretary to the Government :

(a) Daily mail services in each direction operate between Abeokuta, Lagos, Oshogbo, Ibadan and Ijebu Ode. Between Abeokuta and other places in the Western Provinces the time taken in transit for correspondence varies from two to three days, advantage being taken of available transport services. No general complaint of delay to correspondence has been received from the public.

(b) House to house delivery of correspondence will be introduced at Abeokuta and other important towns of the Western Provinces as soon as trained staff is available.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari) :

113. To ask the Honourable the Financial Secretary now that the war is over and facilities for increased nickel are possible what steps is Government taking to withdraw Manilla currency from the markets of the towns in Eastern Provinces where the people suffer from disadvantages resulting from the use of that currency?

Answer—

The Hon. the Financial Secretary :

Government is giving full consideration to the problem and an announcement of its future policy will be made as soon as possible.

BILLS

(Second Readings)

THE 1946-47 APPROPRIATION ORDINANCE, 1946

The Member for Egba Division (The Rev. and Hon. Canon S. A. Delumo) :

Your Excellency, we were very pleased indeed to listen to the Speech that you gave at the opening of this Session and also to read the printed address that you presented to us. We are also very pleased to see that the financial position of the country is very healthy although we are unhappy that we have to face the item of increased taxation. It is already passed and we have to submit to it.

In your address you spoke about Education at length and I should like to say a few words about it. It is well-known that many of our people are getting to know the advantages of education, and they wish to send their children to schools but unfortunately there is no room for the children in the schools. The Missions and churches have done their best and I think they can do no more and we must look to the Government to come to the rescue. I know a good deal of money has been assigned to Education and I hope we shall not be disappointed. Along with this is the question of teacher-training and so far as I know provisions have been made for training teachers for both primary and secondary schools, but my fear is that before

these plans can mature these schools will have suffered very much. I hope that Government will make haste to supply us with teachers so that our suffering will not be very long.

Uncertificated Teachers.—In connection with this, I have to thank Government for granting superannuation allowances to certificated teachers. It is very good indeed and our teachers will be able to spend more years at school and make better use of their experience. This will also attract a good class of people to the teaching work. We need a good class of people. Those responsible for our children should be people from good homes, people of character on whom we can rely; but we must consider the case of uncertificated teachers, and I think Government should take this matter seriously. Many of them have spent, fifteen, twenty or twenty-five years and they have taken the work as their profession. Is it right that they should have a gloomy future? I think Government should take into consideration the fact that we cannot do without them. We have very few certificated teachers in our schools and without these uncertificated teachers we cannot continue, and I appeal to the Government to consider their cases seriously.

I would like to speak also about our village schools. Nigeria is a country of villages—every town is surrounded by villages and even in the villages people are beginning to know the advantages of education. These people try their best to build schools for themselves and try to man the schools with teachers, but they cannot get certificated teachers. Even the towns schools have not got adequate number of certificated teachers, I think Government should see to it that they get some assistance. There are some good uncertificated teachers with experience and I think they should not be neglected. I regret to say that during the war many education offices in the provinces were closed and now that the war is over, we would request Government to remember that these offices are important and they should now be re-opened. During the war Education Officers were called up but now that the war is over they are likely to be released.

I will now speak about technical education—it is a very important branch of education yet it seems that we have not gone into it very much in Nigeria. Now that the Development Plan is on we have to be looking for artisans and technicians from abroad, because we have nothing of this kind of education. It must be due to something on the part of the authorities that they have not encouraged manual labour, those who were engaged in clerical work were regarded in the past as of a better class than technicians, and that was the reason why many people did not take to it. Now I believe under the Development Scheme things will be changed and many of our boys will go for that Department where they are so much needed.

Your Excellency spoke about the control of schools in your address. I have to say Sir that the control of our Schools is in the hands of the Education Department, even plans for the building of Schools are submitted for their approval. We have to do everything at their dictation. The Honourable the Director of Education knows what it means if his orders are disobeyed by any manager or teacher. Really the Education Department rules us and

we have to submit, also the certificated teachers in principle regard themselves as quasi civil servants and they would even be glad to regard themselves as Government Officers because they know where the money comes from.

Town Planning

Your Excellency in your speech said that Lagos contains some of the worst slums in the world. I think then we must expect the planning to begin from the capital city and headquarters of Nigeria. We in the provinces regard Lagos as a fine town, and we are very surprised at the designation given to it by Your Excellency. As for village reconstruction, I feel we are very much concerned. Nigeria is a country of villages, every town is surrounded by many villages. In the past nobody has paid much attention to these villages, and now they are to have the amenities enjoyed by the towns, such as water supply, roads, electricity. This is very good indeed. The standard of living will be raised as much as possible and we are very thankful for this.

Textile Development

This subject as is pointed out in the development scheme affects the common people, who are in the majority. It is a very important subject and I think we should pay much attention to it. It seems as if we make too much use of foreign productions. This must be due to the fact that we have no machines to make things so fast and the capitalists compete and surpass us at our own production but with machines they do things cheaply, which we cannot do, and by so doing they will drive us from the fields. I hope the experts who are going into this subject will be able to introduce machines so that we shall not be driven out of the fields.

I think I should not leave this place without reference to farmers. We are farmers in Egbaland and what we need very much is labour and Government would do us a lot of good to arrange for labour for us to be able to farm our lands. I think if that is done the farmers would be able to help to give increased stocks of food for Nigeria.

Well, Sir, in your speech Your Excellency mentioned the question of land acquisition. That is a very vital question for us in this country, but it is well-known that it is very necessary that there should be land acquisition but what I believe at the bottom of the whole trouble is the question of leasehold from Government—I hope the Government will try to understand our people in this respect and with these remarks I support the Appropriation Bill.

The Third Lagos Member (The Hon. A. Adedoyin) :

Your Excellency, the Speech and Address of Your Excellency have really shown our people what has been done in the past year and what Government intends to do next year.

The Honourable the Financial Secretary said two days ago that it was sheer nonsense when people say that Nigeria should not invest her money in other countries. Well that may be so, but I think that it is more nonsensical from the African point of view to lend money to one country and at the same time

borrow from another. What sum of money we have outside our country should be taken back for use in our own land. Your Excellency referred to the taking over of land in two boroughs by the London County Council in England. We are not opposed to Government acquiring land; it is the Government system of land acquisition which we cannot understand. If the land is acquired from the owners and it happens to be returned, the people want it returned freehold and not leasehold. There the question arises as to the misunderstanding between the Government and the people. If Government needs the land for development purposes, it shall have it; but there must be reasonable compensation and if the land should later go back to the indigenous native it must be on the freehold principle.

We heard also that the rate of taxation in Nigeria is the lowest in the British Commonwealth of Nations but I should think that that is due to our low cost of living. If the cost of living is raised I am sure that nobody will grumble about the increased taxation. I would like to point out, Sir, that the Customs wharf in Lagos here needs changing as regards the buildings that are called "sheds." The walls and roofs are made of corrugated iron sheets and are too hot in the daytime during the dry season and too cold in the wet season; this is very unhealthy for the Customs Officers who work day and night inside these sheds. I hope that the Government will see its way clear at no distant date to make these sheds more healthy for the poor Customs Officers who work in them.

Another point is that of the uniforms that are being supplied to the Government employees. This refers also to the Customs Department mostly, but I think in general it applies to all Government officials who are supplied with uniforms. The system obtaining before was to supply them with two uniforms per annum. I am sure that nobody will think that to have two khaki uniforms a year is too much for an African clerk. The system now, I understand, is that these African staff have to return the uniforms of the previous year which they sometimes use in addition to the new ones just to make themselves neat, especially in time of rain. If they get wet they can change their uniform, but if they have to return the old ones as is now the case they will not be sufficiently or properly clad; and so I would suggest that the old system be allowed to continue.

Well, Sir, the Government has initiated a fishing industry. We are very grateful to the Government for that but I should think Government might think seriously of establishing further industries like the manufacture of cocoa beverages and chocolates instead of having to import these from other parts of the world. If we have the machinery and plant we can manufacture these locally. We have the cocoa. The same thing applies to cotton goods. We have cotton here and we can easily manufacture them if we have the machines and I see no reason why all our cotton must be shipped away, turned into cloth and then returned and sold to us.

I would also refer under this heading to the question of brewery. I understand that a brewery has been in operation in the Gold Coast for some time and since the Gold Coast has led the way I do not see why we should not follow suit. I therefore suggest that we should brew our own beer with the aid of the Government. The same thing applies to sugar.

I would like, Sir, to touch on the question of the powers of Administrative Officers in the Provinces. Their powers are really too wide. They are the heads of the Police Force and in their area they are heads of the Native Courts, they are Magistrates, Prison chiefs, etc., in addition to being Administrative Officers. So there is nothing to prevent them from arresting a man, trying him, gaoling him and looking after him in the Prison yard ! I should think that is too much. I think the Government should make arrangements in time so that an Administrative Officer is left to do only administrative work.

There is another point I would like to touch, Your Excellency, and that is the Department of Public Works. It is really a Department that is always very busy and the only thing that is very remarkable about the Department is that no Africans are placed in superior posts as in other Departments. That is really very striking, and why that is so, I should think, is a case for the Director of Public Works to answer. I refer, Sir, at this stage, to the question of electricity supply to the Municipal Area of Lagos. It has always been in the hands of the Public Works Department. It is a matter of the Township, and since the Government grant to the Lagos Town Council has been drastically cut, I see no reason why this undertaking should go to the Central Government. Hand it over to the Lagos Town Council.

Another point, Sir, is the question of the clerks in the Government departments. There are certain clauses in the General Orders pinning them to the service and they cannot go away unless they are invalidated. I would say that there are many clerks wishing to leave Government service but they know that if they resign they have to pay one month's salary to the Government and lose their pension and gratuity no matter how long they have served. I suggest that Government should look into this matter and bring in voluntary retirement for the benefit of these African staff on the principle of Sir Donald Cameron. Medical officers are allowed to retire after a certain time and are entitled to their gratuity and pension, and this might be generalized among the African staff of Government Departments.

Another point is the question of goldsmiths. Since the passing of the Goldsmiths Ordinance there has been much chaos all over the country, especially in the Northern Provinces. Goldsmiths are turned out as unemployed people because they find it difficult to get licences. I do not say that I am in favour of some of them being given licences just because they happen to be goldsmiths, but there are some who have been in that trade for about twenty to twenty-five years. They find that they are wanting when they undergo Government tests. The system by which they measure their gold is quite different from that which the Inspector of Mines wishes them to use. They are mostly illiterate and they have not committed to memory weights and measures but I am happy to say that in Lagos here we have been able to evolve a system that the Goldsmiths Union of Nigeria understands and appreciates and I would suggest to Your Excellency that this system obtaining in Lagos should be generalized all over the country so that we have a Goldsmiths Union of Nigeria, knowing fully well how goldsmithery is practised in the country, testing their people in the presence of a Government official or two Government officials as the case may be. I am suggesting

that the Lagos goldsmiths licensing system should be generalized all over the whole of Nigeria so that the goldsmiths might not swell the club of the unemployed.

The Nigerian Railway is another point that I would like to mention, Sir. Everything is being done for the comfort of the passengers and for carrying goods but the coaches in Nigeria are anything but comfortable — the first-class coaches—are worse than third-class coaches in England ; and they are, Sir, especially the second and third class coaches — very, very uncomfortable. When the General Manager contemplates getting new coaches he must also think of the comfort of the passengers as well. The time that the Kano train spends at Ibadan is really too long and disgusting to the passengers. The time spent at Ibadan might, I think, be curtailed and more time spent at Abeokuta, another important station of the Railway.

I see, Sir, from Your Excellency's Address that the Forestry School experiences difficulty in finding Africans with the necessary educational qualifications to attend the School. I am sure something is wrong there and that wrong thing is not attributable to the applicants but to the Department. Nobody will go and undertake a job that will not pay and I dare say that if the provisions made for the students after they have left the School were attractive I am sure candidates would be attracted to that Department.

It is really very gratifying to know that an African has been sent to the United Kingdom to study Mining Engineering under the Colliery Department of the Government. I would suggest that this is a very good move and the Government might extend the same to our Mines, Survey, Education and Medical Departments, so that we have Africans to hold key positions in those Departments.

I beg your pardon. I must return to the Railway. With regard to Foremen Platelayers, the work of these Foremen is not an impossible job for the Africans and I think the time has come when the Government should recruit Africans for these appointments, thus saving money by curtailing allowances especially transport allowances to and from the United Kingdom.

I have read also in Your Excellency's Address on the question of teachers not under the Government. It is really gratifying too that the Government has contemplated providing ways and means by which these teachers could be encouraged by giving them gratuity in some cases and pension in other cases. I should say, Sir, that what is worth doing at all is worth doing well. If their condition of service is to be assimilated to that of Government teachers, I should think it is very wise to proceed on that line. Those given pension should be given gratuity as well and those earning under £50 per annum are to be given gratuity. I should think that that is in order. Those whose salaries are above £50 and have served for a considerable length of time might be given the same consideration as other teachers in Government Department.

The Agricultural Department is, I dare say, the most important Department as far as the farmers are concerned, but it appears to me that there is not sufficient machinery put in operation for the farmers to understand what the Director of Agriculture is doing. They do not know ; they cannot

understand ; but it is within the power of the Director of Agriculture, probably in collaboration with the Public Relations Office, to see that the experiments that are carried out in the Agricultural Experimental Farms are brought within the reach and to the understanding of the indigenous farmer. A lot has been said about cocoa but I would like the Director of Agriculture to give us more advice and encouragement as regards our staple foods, not only for export but principally for local consumption. Production of foodstuffs is the thing that will give us good health and I see no reason why we have to import a lot of foodstuffs that we can produce locally and I dare say that the Director of Agriculture has a case to answer on this account. The Cocoa Control is another thing that has been agitating the minds of the farmers and the general public of this country. I think the Government will find it expedient at this time to de-control cocoa and furthermore to allow the farmer or trader to sell his cocoa anywhere in the world if he can find market for it. I would say this, that it is the law of supply and demand that rules prices, but where we have only one avenue to go then it is really very disgusting that the consumer, as far as we are concerned, should dictate the price of our commodity. If we have an open market, however, we shall be able to have the highest prices possible for our products.

The Transport Control is another thing that is out of date at the present moment. We want trade to go on as usual—as it did before the war. The war is over and yet we are fettered with all these controls, especially Transport Controls. All the Police Posts should be scrapped and the policemen sent to the towns to do some police job instead of lying in the bush to watch cars and lorries pass.

I have found that the climate of Nigeria is not too bad for the cultivation of tobacco, and tobacco is another thing that the people of Nigeria buy a lot of. If this is so, I see no reason why the Agricultural Department should not give the initiative and encouragement in that particular line of enterprise.

I would like to say this again as regards the construction of the Lagos-Ijebu-Ibadan road. The Government has undertaken the construction of the road and we would like to have a clear statement from the Government about it. It is really going to be a very important trunk road and that is known to the Government and to everybody in Nigeria.

Another question that I would like to deal with is the question of the Native rulers. It has been a very long time since some of the Native rulers were graded into First, Second, Third and all classes, but the criteria upon which these classes are based by Government is a thing that we should like to know. An early revision is due and necessary. There are certain areas in Nigeria that would like to have telephonic and telegraphic communications with other parts of the country and they find it very difficult to persuade the Government to get this done, but I should think under the new Development Scheme arrangements could be made to see that all important centres in the country are supplied with these modern amenities of communication. When I refer to telephonic and telegraphic communications, I have in mind in particular the town of Shagamu in the Ijebu Province.

I come back to the Civil Servants. We have heard a lot about the Government Africanizing the Civil Service of Nigeria. I have seen cases in which Africans were given work that has before been entrusted to Europeans; they (Africans) have done the work very efficiently and what they received in return is only "Thank you." I should think there must be attached to equal work equal pay. Civil Servants are the backbone of the Government, whether Government likes it or not, and they should be encouraged. The Nigerian Secretariat, I dare say, is an example where you have Africans holding superior posts and they are coming up like that in groups, and like mushrooms. The only thing is that the other departments do not emulate this very commendable step and I think the time has come when West Africans should hold superior posts in the Government Departments with commensurate salaries attached, similar to those given to European Officers. The African does the job creditably well, yet he remains a First Class Clerk. I should think that is absolutely inequitable.

To these few observations I would sub-join this one. That our Judicial Department requires re-organization from the West African Court of Appeal downwards to the Magistrate's Court. As I said before, as regards the work of the Africans and the Europeans, the African Magistrates are given certain rates of pay quite different from the European Magistrates. It is really very surprising. The African Magistrate can do the same job and in addition he understands and knows his people better than the European Magistrate does, yet the African is being paid a lower salary than the European. It is ridiculous as far as the African mentality is concerned. We want more magistrates and more judges for the Supreme Court, and I think the salaries of the Judges in Nigeria should be the same. The West African Court of Appeal is a place where we are supposed to have the highest judicial tribunal in Nigeria and yet what happens at times? The Chief Justice of Nigeria, the Chief Justice of the Gold Coast and the Chief Justice of Sierra Leone are supposed to sit together and consider appeals from the Supreme Courts of those countries, but we have at times in Nigeria—contrary to this principle and practice, three local judges adjudicating upon the judgment of a brother of theirs in the same country. I am not imputing anything bad to the Nigerian Judges but I say that naturally what we want in Nigeria is independent Judges of the West African Court of Appeal who have nothing to do with the Supreme Court. The remuneration of the Judges, I dare say, is really very low compared with what is paid to Judges in other civilized countries of the world, and that is why I should think it will not be easy to get the best men from England to dispense justice in Nigeria, and so Government must look into that point and increase the salaries of our Judges.

With these few remarks I take my seat.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

Your Excellency, this morning, Sir, I have not yet received a letter from the Clerk of the Council informing me that the questions which were submitted by me for the information of Government about a fortnight ago will not be entertained at this Session of the Council as it was done at the

last Session when I was not officially regarded as a member of this Honourable House because I had not then been sworn in. On the contrary, Sir, I observe that some of the questions which were submitted by me have been mutilated, the replies to some of them are not yet ready and no reference whatever has been made to others. Presumably they have been disallowed. Having taken the Oath of Allegiance and Loyalty to the Throne and Person, Crown Honour and dignity Royal of His Most Excellent Majesty George VI King of Great Britain and Ireland I think there can be no dubiety if I claim to regard myself as a member of this House and also if I claim the privilege of addressing the House. Provided I am quite in order, Sir, I shall proceed.

His Excellency :

I do not quite follow the Honourable Member.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

Provided I am in order I shall proceed.

His Excellency :

Yes, certainly.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

I should like to thank Your Excellency for the congratulatory message you sent to me through the Honourable the Chief Secretary to the Government in a letter dated the 15th December last on the occasion of my success at the bye-election held during the year and also to thank Your Excellency for mentioning in your address that I am now an addition to this Honourable House.

Before I go on to invite Your Excellency's attention to the manifesto which was issued by me during the electioneering campaign of last year, I should like to take this opportunity to correct certain mistaken impressions which have been gaining currency in and out of Nigeria during the past twelve months, namely, that there are some organisations in this country; Political, Social and economic organisations, Trade Unions, Tribal Unions and Professional Associations and Literary Societies and so on whose aims and objects are to drive the white man away from Nigeria, and to be intensely anti-Government. As far as I am aware, Sir, nothing could be farther from the truth. I think the aims and objects of some of these organisations are crystal clear, briefly stated they are :—

1. Some of these organisations want political freedom or political emancipation in this country; in other words a democratic Nigerian Government is what is wanted in this country.

2. Economic security and social equality for all under the panoply of the Union Jack and I may add, Sir, religious toleration: freedom to worship God according to the dictates of ones conscience.

Political Emancipation.—In order to appreciate, Sir, why we in this country today want political emancipation and freedom, and for the benefit of some of the less informed Administrative Officers in the Nigerian

Secretariat and throughout the Provinces, it will be necessary to describe in outline the historical background of Nigeria and Great Britain especially from the political and constitutional standpoint. Why must we go back into history? It is necessary because without history we do not know about the past and without the past we cannot hope to know how and why the present came into existence. Some people believe that in Nigeria we have been under British Government for a period of eighty-five years and yet we are not ripe for anything at all let alone responsible self-government. What I mean by responsible self-government is that we feel that the time has arrived when the people of this country should be given an increasing share in the administration of the Government. I mean, Sir, that if after eighty-five years we are not ripe at this stage for responsible self-government or to take an increasing share in the administration of the country then something must be radically wrong somewhere. Either the British Government in Nigeria for the past eighty-five years has been weak, incapable, unwilling and a very bad teacher, or else we have been incapable of assimilating all that the British Government in Nigeria had to impart, and consequently we have been very bad students. I do not think we have been judging from the records of our achievements in less than a century, which had taken Great Britain 300 years during her course of development. I would like to mention Ceylon Sir in passing, and mention this historical background so as to compare these two countries, and the contrast I will leave to the House to draw their own conclusions from them.

In 1815 Great Britain got into Ceylon, by 1870 Ceylon had its University College and in the year 1942 that University College became a full blown University. In 1930 there was a Ministerial form of Government in Ceylon and last year the Secretary of State for the Colonies stated that he proposed to grant Ceylon full self-Government. If we are not yet ripe for responsible self-government because as we have been told Government cannot find suitable Africans for posts of responsibility, then as I said before, something must be radically wrong somewhere; and in this connection I should like the Government to devise a scientific instrument such as the barometer or some other sensitive instrument so as to assess our ripeness for responsible self-government. We have not got Africans to fill the posts of responsibility as Government has not taken any steps since the days of Governor Clifford. I should like to mention in passing the historical background of Great Britain and Nigerian from the Political and constitutional standpoint. During the time Great Britain was passing through the Roman Occupation of Britain there was some form of democratic government, crude as it may have been all the same it was democratic in principle. As we know in A.D. 61 Queen Bodicea of Iceni in England took poison rather than submit to the domination of the Romans. Constitutionally things went on well for a time in England until the year 1215 when people in England were not satisfied with their constitutional advance and demanded from King John in the year 1215 the first great Charter of English liberties, namely, Magna Carta and the first Charter in history in preparation for a greater constitutional advance in England. In 1295 the Model Parliament was formed in England when the commons were represented for the first time. That I believe was 651 years ago and I believe that was the foundation stone of the present Houses

of Parliament in Westminster. Things went on fairly well for some time until people were not satisfied under the reign of Richard II and of course there was another explosion in the year 1381. From the year 1455-1485 England was plunged into bloodshed and anarchy for political and constitutional advance. By the year 1603 we found that both Crowns of Scotland and England were united by James I of England and James VI of Scotland, Wales having been annexed in 1283. In the year 1642 there was civil war in England for political and constitutional advance under the reign of Charles I followed again by another civil war in 1648 when His Majesty King Charles propounded the theory and practice of Divine Right of Kings, for which he lost his throne. He was beheaded in 1649.

That was followed in the year 1679 by the addition of another solid stone to the bulwarks of English liberty by the enactment of the Habeas Corpus Act. In the year 1688 there was revolution in England again for political advance, followed in 1689 by the addition of yet another solid stone to the bulwark of English liberty by the enactment of the Petition of Rights—James II tried to rule by absolutism in England and of course he had to be driven away.

On the 1st May 1707 both Parliaments of England and Scotland were united by what is known as the Union of Parliaments six years after the Act of Settlement was passed. 1st January 1801 Parliament of Ireland was brought in, with Great Britain.

In 1807 the British Parliament abolished the slave trade in England, this was followed in 1833-34 by the abolition of slavery throughout the British Commonwealth of Nations.

In 1867 there was the Reform Parliament. The Reform Bill was brought in by Mr Gladstone for a Reform Parliament in the year 1866. Under the new Bill, Sir, the old constitution was destroyed in response to a strong national demand, and so today Sir, without going further into details we have seen Great Britain emerged from the primitive state, and barbarism obtaining under the Romans to become one of the greatest nations of the World today, and which has lately been described as the Island Fortress of Democracy which stands as a beacon light to the other democratic-loving peoples of the world to emulate. That, Sir, is the background, political and constitutional of the British who came to this country in 1851 to give us the benefit of their experience.

Nigeria, Sir, I wish I could tell you as much of Nigeria as far back as I have traced in England, but unfortunately there was no Lagos in those days. Lagos came into prominence in the 15th Century. In the year 1485 Prince Henry the Navigator of Portugal sent the Portuguese to explore the West Coast of Africa. Lagos was then a fishing village, swampy and they gave it its present name which is derived from the Portuguese meaning Lagoon. In 1851, Sir, Great Britain came into contact with Nigeria, and they made the then reigning King, Kosoko abdicate and brought back King Akitoye from Fernando Po where he had been expelled by his nephew. All this, Sir,

coupled with the fact that in 1630 the first King who reigned in Lagos was Addo, followed by other Kings;—

King Gabaro	A.D. 1669
King Akinsemoyin	A.D. 1704
King Olorogun-Kutere	A.D. 1749
*King Adele	A.D. 1775
King Osilokun	A.D. 1780
King Idewu Ojulari	A.D. 1819
*King Adele	A.D. 1832
King Oluwole	A.D. 1834
*King Akitoye	A.D. 1841
King Kosoko	A.D. 1845
*King Akitoye	A.D. 1852
King Docemo	A.D. 1853
King Oyekan	A.D. 1901
Prince Eshugbayi Eleko	
Prince Falolu who now draws a "Compassionate Allowance."	

*Reigned twice.

King Akitoye was one of the best and most just kings who ever ruled in Lagos. He was very popular with the people.

Now we come to 1861 when this country was ceded to the British Crown—the idea being that the British might be better able or enabled to assist, defend the inhabitants and put an end to the slave trade which was rampant in this country. Later on Sir the British penetrated into the interior as a result of which several Treaties were concluded with the Kings of Oyo and Ibadan in 1893. In the Northern Provinces the National Africa Company concluded thirty-seven Treaties of Friendship with the Native Chiefs—in the lower Niger 209 Treaties were concluded altogether there was about 247 Treaties of Friendship were concluded with Native Chiefs all over the country. That shows, Sir, that before the British advent in Nigeria we have had some democratic form of Government. No matter how crude it was nevertheless it was democratic. In the olden days, following our democratic principles in our crude fashion any King who was a tyrant, or was unpopular with the people, he was hygienically disposed of by the presentation to him of the traditional death calabash. As soon as the King sees the calabash he knows he is to die. That was our method of ruling in our crude manner, before the British came. Since 1861 we have been under the British trusteeship in preparation for self-government and since then there has been no visible signs of political and constitutional advance rather there has been progressive and systematic designs at complete disintegration of our political institutions; that is why Sir, some organisations today feel that what is wanted in Nigeria is a re-establishment of the democratic form of Government which had been in existence long before the advent of the British rule.

The modern Nigerian was born by right, in a democratic society. Today he is living in an age of what has been called atomic energy and it may not be long before he may have to enter into another age of molecular energy.

People say there is indirect administration in Nigeria. I should not like to subscribe to that view.

Great Britain rules Nigeria by direct administration and not by indirect administration. He who does a thing through another does it himself: so that Britain is ruling Nigeria by direct administration through the Commissioners, Residents, District Officers, and Assistant District Officers throughout the Provinces. This brings me to where I was going, namely, the Richards Constitution or what is referred to as the Political and Constitutional future of Nigeria. What is needed in Nigeria today is a re-establishment of a democratic form of government which we were used to before the British came, as I pointed out earlier. What then is the exact nature of democracy? There are five signs by which democracy can be recognised:

1. That all adults shall have an equal share in choosing the people who are to carry on the Government.
2. That a large number of citizens should take part in the actual work of the Government.
3. That the will of the majority acting through the Government should be obeyed.
4. The economic and social structure must be such as to allow previous conditions to be realised as they are stated in law.
5. The Government must allow all its subjects to criticise its acts.

As one of the accredited representatives of the people I submit very respectfully that the Richards Constitution is unquestionably undemocratic in principle and therefore unacceptable to the people of Nigeria, notwithstanding the fact that the Constitution had been passed by this House on the unofficial side without a dissentient voice, with the possible exception of Dr Olusoga and also that some of the Native Rulers may have acquiesced to the adoption of that Constitution or may have signed some document to that effect. May I express the sanguine hope, Sir, that its amended form will be democratic in principle otherwise it may again be rejected by the people.

If our Nigerian soldiers, our gallant heroes have fought and died, and maimed permanently or/and temporarily in the various theatres of war to preserve European democracy and world freedom, and if we the home guards have contributed in no small measure to the successful prosecution of the war thereby bringing about the defeat of Nazism and Fascism then I submit Sir, we are entitled to the fruits of victory for which we have fought and died, namely, Democracy.

With regard to the Historical and categorical pronouncement by the Right Honourable Secretary of State for the Colonies during his short visit to Nigeria that he is a democrat of democrats. I should like to indicate that I hope to bring in a motion before the House to request the Right Honourable gentleman to demonstrate his democratic principles in a democratic and practical manner by granting Nigeria a Democratic Constitution. The principle of nomination is definitely anachronistic and should be scrapped.

I turn now, Sir, to economic security and social equality. The modern Nigerian demands above all things food, clothing, shelter, medical facilities and other amenities, and a declaration by Government that the whole of the land in the Protectorate and Colony of Nigeria, North, West and South

whether occupied or not shall be declared Native lands and that all rights of ownership shall be vested in the natives as being inalienable and untransferable to Government without purchase, concession, or gift.

That the local administration shall secure the control of the means of production and distribution of the mineral resources of the country.

The protection of Nigerian trade products, minerals and commerce in the interests of the Nigerians by legislating against trade monopolies so as to prevent the exploitation of the country and its people.

The protection of the Nigerian working classes by legislating for minimum wages, for skilled and unskilled labour in addition to humanising the conditions of labour in Nigeria, and instituting and guaranteeing social security for the people of this country.

Social equality.—Some time ago, Sir, one Honourable Member got up in the House and described Your Excellency as "Richard the Lion-Hearted." I would endorse that view and go on to say that we have in Your Excellency a greater than Richard the Lion-Hearted, who has fought and won the greatest crusade of all times, provided Your Excellency would be graciously pleased to demonstrate that statesmanlike acumen of which we have heard so much and which I personally have every reason to believe Your Excellency is capable of demonstrating in a practical manner by the timely declaration by Your Excellency for the total, absolute and complete abolition of all forms of social discrimination and segregation in the public service of Nigeria, particularly in respect of social accommodation, advantages, facilities, enjoyments, amenities, perquisites, remuneration, and so on. That equal pay for equal work and equal opportunity for all irrespective of sex, creed, colour or race shall become a reality in Nigeria.

I have referred to religious toleration, but I should like to quote from the manifesto which I will draw Your Excellency's attention to later when I come to consider Your Excellency's Address. Eighty years ago Queen Victoria laid down the following policy: "We will show to all alike the equal protection of law and we do strictly charge and enjoin those who may be in authority under Us that they abstain from all interference with the religious belief or worship of any of Our subjects under pain of Our highest displeasure."

Now, Sir, if the aims and objects of the British Government in Nigeria is to prepare us for eventual self-government and if the aims and objects of the organizations to which I have referred are to weld together the various heterogeneous tribes in Nigeria into one homogeneous mass constitutionally then I think, Sir, that the aims and objects of some of these organizations are not diametrically opposed to those of the Government. That is to say, they are identical, and things which are equal to the same things are equal to one another. Therefore I do not see how it could by any stretch of the imagination be construed to mean that some political organizations in Nigeria are anti-Government or that they contemplate driving the white-man away from Nigeria.

My manifesto, Sir. I should like to refer to the manifesto, Sir, as I consider Your Excellency's Address; in order that there may not be any waste of time, but one thing, Sir, I should like to point out under the

manifesto is that I, as an Elected Member of this House shall, during my term of office, consistently carry and wave the Banner of Truth, Justice, Liberty and Freedom to the empyrean heights of democracy without fear or favour, ill-will or affection for the "good government, peace and tranquility of Nigeria," until such time, Sir, that we shall realize the goal of our ambition, namely the implantation on the Nigerian soil of a government of the people, made for the people, made by the people and answerable to the people.

Your Excellency's Address. Before I go on to consider Your Excellency's Address, I must congratulate you, Sir, on its comprehensive nature. On page 1 of that Address, Sir, it says: "A study of the Budget which you are asked to approve will show the intentions of Government—intentions which can only become accomplished facts if the goodwill and co-operation of all classes of the Nigerian community is behind them." I should like to submit, Sir, that that goodwill and co-operation would be forthcoming provided the Government would take the lead. Let the Government extend the right hand of fellowship to all classes of the Nigerian community by letting them feel that the Government is not only working for them but that the Government is working with them. We have heard so much from various Heads of Departments that they could not find suitable Africans either to train or who are forthcoming, or when they are trained they were found to be useless. I should like them, Sir, when they reply to please tell this honourable House where they looked for these Africans, when they looked for them and how they looked for them before they failed to find them. If the Government would let the people feel that the Government is working with them not only working for them, then I assure Your Excellency that that goodwill and co-operation would be forthcoming, but if the Government will not then I am afraid I cannot say whether or not they will be quite willing to co-operate. If they co-operate at all it may be done grudgingly.

Finance.—I must congratulate the Honourable Financial Secretary to the Government, Sir, on the surplus that we have got but I regret to observe, Sir, that the Government has not yet got rid of its sub-acute disease, namely squandermania. I said sub-acute, because the disease has not yet become chronic and we know, Sir, that anything that is chronic cannot be cured and what cannot be cured must be endured. So, Sir, I am submitting with particular reference to page 4 of your Address where you mentioned that the number of Special Warrants submitted for your signature will be refused in future. I think this question of supplementary Estimates has been going on for years; it is not just peculiar to the war years; and various people before I came here have stressed that the Government of this country spends far more money than we can afford. I should like, Sir, to refer to the strike at this stage. Since the strike started I have never taken any active part in discussions in the Town Council. I remember when as a Town Councillor representing "C" Ward I was one of those who went before His Excellency, the Officer Administering the Government, primarily to discuss the question of Gari and other controls and secondly the question of the strike. We were snobbed by His Excellency the Officer Administering the Government. I may say, Sir, that it was not on the agenda that we were to discuss the strike and since then I have maintained an attitude of neutrality

when it comes to this question of the strike but I cannot help mentioning today the fact that the Labour Department was unable to prevent the strike was not a very satisfactory thing for that Department. In a question I asked yesterday, No. 78 I think, you will find that the reason is not far to seek. We have experts in this country, we have far too many of them, all doing precious little. Here we have a Deputy Commissioner of Labour who according to the question I have asked has had ten years experience as an engineer and yet he was pitchforked into the Labour Department. Square pegs in round holes.

Lagos Town Council.—I am very grateful to you for having mentioned the Lagos Town Council in your Address. I am a member of that Council Sir. I happen to represent "C" Ward. Your Excellency pointed out in your Address that there is a lack of interest in the franchise given to the people of Lagos. That is apparent, Sir, and I think it is only right for the people in Lagos now to show the Government that although we may be very, very loyal we are by no means stupid and ignorant. The Lagos Town Council have according to you 1,111 voters on the list but only one-sixth of them went to the polls. I think, Sir, that the people were just showing the Government that it is high time that Government re-orientated its policy. The Lagos Town Council is no Town Council at all. I happen to have seen some Municipal Councils in various parts of the world and I do not consider that the present Municipal Government we have in Lagos is a Municipal Government in the real sense of the word and that, I think, Sir, is why people are becoming disgusted and wish to convey that they are no longer stupid and ignorant. If the Government still feels that there must be nine Nominated Members as against five Elected Members in the Lagos Town Council then the people feel that there can be no progress. If Lagos, as the capital of Nigeria and the Venerable and Honourable Archdeacon Lennon has referred to it as the Liverpool of the West Coast of Africa, is worthy of the name of a municipality, then I think the people were quite justified in not taking any notice of the franchise because it is no franchise at all. If it were franchise in the real democratic sense of the word everyone in the municipality who aspired to be a Member of the Town Council would have to contest an election—that is to say all Members would be Elected Members. The present Town Council, Sir, is, in my humble opinion, a hybrid, mongrel of a Municipality, a superfluous institution and above all an inglorious bureaucratic assembly.

I am very glad indeed, Sir, that you mentioned that Lagos has some of the worst slums in the world. In my limited experience, Sir, I happen to have seen some slums in various parts of the world and I do not think that although we are grateful that you have pointed it out to us we cannot help but ask what the Government had been doing since it has been here for the last eighty-five years. I asked the question, Sir, at the present Session of the Council how many bungalows have been built by Government at Ikoyi and approximately what they have cost since 1920. £472,374 odd pounds have been spent to build or transform Ikoyi into what I may call a modern Welwyn Garden City. I remember, twenty-four years ago, when we used to play truant from school and go to Ikoyi to play football and pick mangoes,

Look at Ikoyi today. It is no longer the thick bush that it used to be. There was only one road in those days when Dr Grey had a hospital there. So that we cannot understand, Sir, why the Government, instead of providing for the greatest good of the greatest number, prefers to provide for the greatest good of the minority.

I think, Sir, I have said enough about the Municipal Town Council but I repeat that it is a superfluous institution and above all an inglorious bureaucratic assembly. I would beg of you to institute a Commission of Enquiry into that unsatisfactory institution known as the Lagos Town Council. In this connection, Sir, I quote from one of my files from the Lagos Town Council to show why that institution is a superfluous institution. In August 1944, Sir, I asked the following questions: "What is the actual cost of making a road fifty feet wide and one chain long, paving it, covering it with laterite, and giving it a rise in the centre with a two foot drain on either side." The next question: "On what road and drains will the £23,000 provided in the Estimates be used. I should like to know the names, length and width of each, giving the name of the road and drains that have been repaired last year and at what cost. Also a list of new roads, with their total widths and lengths." The last question and most interesting of all is this: "What is the cost of macadamizing the road leading into Mr Winter's house from First Avenue into the premises and at whose expense was the road made? If the cost was paid by Mr Winter, I should like to know the number of the receipt and the date of payment. If the answer is in the negative will the President please authorize an immediate payment?" Since 1944 this question has not been satisfactorily answered. Rather than that, there was a series of correspondences between myself and the President and of course that got us nowhere.

His Excellency :

If the Honourable Member will avoid references to personal instances arising in the Town Council and say what he wants without quoting Town Council internal affairs.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe):

I'm sorry, Sir. Would Your Excellency please institute an enquiry into the unsatisfactory state of affairs in the Lagos Town Council.

Nigerian Railway.—I should like to associate myself with the sentiments expressed by the Honourable the Third Lagos Member on the condition of the Railway in Nigeria, especially the First and Second Class coaches which are very unsatisfactory and very filthy. I should like to submit, Sir, that when the Honourable the General Manager of the Railway goes home on leave that Your Excellency would direct that he should please travel on the Continental railways, especially the Swiss railways, and I am sure, Sir, that when he comes back we shall have cleaner coaches than the ones we have at present. The First Class coach I went in the other day, I simply could not believe it was a First Class carriage.

Posts and Telegraphs.—I should like to mention, Sir, that the Telephone Exchange in Lagos is not working satisfactorily. One is continually being disturbed day and night with wrong numbers, often when they are asked to

find out about messages which might have been left they say they have no record. Another interesting thing about Posts and Telegraphs. Letters being sent to people in Lagos and posted in Lagos have been taken all the way to Lafaji in Ilorin Province and only delivered in seven to eight days time with a note that it has been miscarried. I hope that the Postmaster-General will see to it that there is more supervision in that department. The Posts and Telegraphs Stores at Igbosere Road has hardly any ventilation at all. The heat is most intolerable. In the hot weather it is so hot that it is impossible to do any work at all and the staff are constantly running to the W.C. to avoid being suffocated. I hope that the Postmaster-General will see to it.

Education Department.—The Education Department, Sir, we are not satisfied with it in this country. In the past Sir, since 1927 it has been a question of ten year reports, first of all by Mr Grier followed by Mr Hussey and another by Mr Morris, and we are fed up with these reports, Sir, the sooner the Education Department get on with the work the better. Female education. It seems that the Education Department is taking increasing interest in the education of our women, and in this connection I would like to congratulate the Director on the appointment of a European woman Assistant Director of Education. One thing we find and deprecate, that the Principals attached to the Queens College although they do a certain amount of good work they are never allowed to remain in the country to continue the good work that they have started so well—and the people are beginning to feel, Sir, that something is wrong somewhere; and I am submitting that with the loss of Miss Blackwell, the former Principal, that the present Principal when she goes on leave should be allowed to return to continue the good work that she has started so well; but certain members of the public feel that at the present she may not come back. We hope that Government will take into consideration the good work and that she may be able to come back to continue it.

Medical Department.—I should like to congratulate the Director of Medical Services for initiating several reforms especially under the Development Scheme, and for the Bill for the Ordinance for the registration of Nurses. I should like to crave the indulgence of Your Excellency to refer to the Private Hospitals Ordinance, 1945.

I am aware that the Private Hospitals Ordinance has been passed and become law, but in view of the fact, Sir, that there are certain contraversial points in that Ordinance which is coming into effect on the 1st of April next, and in view of the fact that I know that some Doctors who think like myself that a petition should be sent to the Secretary of State for the Colonies on this Ordinance and also that the matter has been referred to the General Medical Council on account of the contraversial points which I have mentioned. I would like to crave the indulgence of Your Excellency, if you would allow me to dwell on the Private Hospitals Ordinance in some detail because I may be leaving the country very shortly for London, and this matter I propose to lay before the Secretary of State and the General Medical Council and a petition to His Majesty the King because as it has become law there is no other way to get my petition in. When this was brought before the House, the Director of Medical Services was approached

that this Bill for the Ordinance, although it was a very good step we felt that certain clauses in it were not good enough and we approached him on more than one occasion, once at his office another occasion at his house, and on a third occasion there was a Select Committee before whom we gave evidence last year. Unfortunately to my surprise some of the points which were raised and objected to were never taken into serious consideration. I refer to the first Bill when it was published in the Gazette. It was an Ordinance for the registration in respect of the control and supervision of Private Hospitals. As a result of our protest the Honourable the Director of Medical Services agreed that under the Medical Act of 1858, he had no power whatever to supervise his professional colleagues who are his equals in the eyes of the law. That control and supervision was dropped from the original Bill but when the final Bill was amended, Sir, the words "supervision and control" which we objected to, that word "supervision" cropped up again in paragraph 9—"that the Director of Medical Services or Medical Officer of Health may at all reasonable times enter a private Hospital for the purpose of supervision and inspection." Now, Sir, clause 4 provides that a Doctor who is running a private Hospital must be under the management, control and supervision of the Medical Officer, and then the Director of Medical Services, and under paragraph 9 "the Director or a Medical Officer of Health" that point is definitely against professional etiquette, and not only that Sir, it is definitely against the powers conferred on every medical graduate by the General Medical Council through the various University Institutions. Another point, Sir, that clause 8, provides "that the Director of Medical Services after consultation with the Medical and Dental Association in his absolute discretion"—and we felt that the words "absolute discretion" should not be inserted in the Bill, because we are all equal in the eyes of the law. Clause 7 provides that the Medical Practitioner in charge of any private Hospital, or any part thereof, is qualified to practice in any branch of Medicine. I cannot understand what this means in that every medical graduate has satisfied the most competent authority in Great Britain, the General Medical Council, that the Medical Graduate already possesses the knowledge and skill requisite for the efficient practice of medicine and surgery. The Bill here seeks to give the Director of Medical Services the right to query. I should like to know whether the Director is going to examine a Doctor who has already been qualified under the Medical Act 1858 or not.

I really cannot understand the object of this Bill and I have one proposition to make; that if the Honourable the Director of Medical Services feels that the Medical Practitioners in this country do not maintain and enhance the honour, prestige and reputation of the Profession, then he already has wide powers under section 29 of the Medical Act of 1858, and not by sending his Medical Officers of Health to enter into Private Hospitals for the purposes of supervision and control, at all reasonable hours.

I pointed out at the Select Committee of last year to the Honourable the Director of Medical Services, the Honourable the Attorney-General and Mr Winter that I have got the fundamental idea behind the Private Hospitals Ordinance—that if the Medical Department feels that there has been some

breach of professional etiquette that under the Criminal Code Government already has wide powers. I regret Dr Olusoga is not here today. Then Mr Winter let the cat out of the bag by saying "Suppose a Doctor admits a patient into his Hospital, performs abortion for her and enters into his books that she has appendicitis. I said to Mr Winter that I am very grateful to you ; you have provided the answer to what I was thinking.

I put a counter question by asking Mr Winter if the Doctor made an honest mistake in diagnosing a case of early pregnancy of say three to four weeks old, and called it appendicitis and operated, and supposing the woman aborted five to six days after the operation, would you be justified in saying that the Doctor committed abortion for her ?

There was no reply.

His Excellency :

I do not want to interrupt the general arguments but we are not actually considering this Bill, perhaps the Honourable Member could just make statements as to his views instead of going through the Bill.

The Second Lagos Member (Dr the Hon. I. Olorun-Nimbe) :

The only other point I should like to mention under the Private Hospital Bill is the question of closing down of Private Hospitals because there has been a question of infection or any other question of serious danger. The African Hospital has been quarantined four times or more within the past years for infectious diseases, and I do not feel that a Private Hospital which has had infectious diseases should be refused registration and the Hospital closed down.

I have nothing more to add, and beg to support the Appropriation Bill.

His Excellency :

Will some Honourable Member who wishes to be brief fill in the remaining quarter of an hour ?

The Honourable E. W. Cannell :

Your Excellency, I have not very much to say and I hope that nothing I am going to say has already been said. Unfortunately, the cunningly contrived acoustics prevent me from hearing quite a lot of what is being said. Therefore, I ask for indulgence if I do repeat.

In Your Excellency's Address reference is made to the supply position. I should like to say a word on that subject because I am in very close touch with the Director of Supplies. His job is the control of exports and imports and of course all controls are irksome, but some are necessary. The control of exports must, of course, continue as long as prices are guaranteed by Government and remain at a steady level. I hope we shall hear later from the Government side some statement as to intentions in that connection.

On the side of imports, I would like to say that the Director of Supplies has shown extreme willingness to release from control everything for which there is no reason for control. Many goods in increasing numbers are now

being placed on Open General Licence, and I think that, although we in this country are short of many things, we are still doing pretty well. I dare say many Honourable Members must have felt, as I do, a certain feeling of guilt in being able to buy as much as we can when we consider how much of the stuff which is at our disposal is not at the disposal of the people at home who have given up so much during the war, and are giving up even more today, to assist the liberated countries and even to assist our vanquished enemies.

If I may turn to the Labour Department, I would like first to endorse the remarks of the Honourable Member for Calabar in his congratulation of that section of the Labour Department which deals with the Registration of Persons for employment. In my own experience, I have found from that Department not only willingness, which is common to all Government Departments, but speed, which is not quite so common. I am a little disappointed, if I may be permitted to say so, Sir, at the omission from your printed Address of any hope that the present system in Lagos may be extended to the Provinces. I believe that there are very good reasons against it. I assume that because I think there was some dissension within the Government on the subject, but I am unaware of the reasons against it and it therefore seems that what is good here should be good if extended elsewhere. It would prevent the deplorable rush to Lagos which will make a bad situation very much worse.

I would like to refer to some remarks of the Honourable the Second Member for Lagos on the subject of the Post Office. I am afraid the Post Office today is an anachronism to modern Nigeria. The old-world methods are just out of keeping with modern requirements. We are still in the "horse and buggy" stage where mails and communications are concerned. It is a deplorable fact that if one wishes to communicate with the Gold Coast it is quicker to send a letter by overland than by air mail. That is just a fact which I have verified. One wonders why that should be when there are at least three aircraft flying between Lagos and Accra each week. The journey takes two hours; a letter takes seven days, at any rate an average of seven days. To what extent our Post Office is responsible I do not know, but something does want shaking up. It is also a remarkable fact that it is quicker to get a return air mail letter from London than it is to write from Lagos to Port Harcourt!

Lastly, Sir, I do not wish to detain the House, but I would like to say one word about the Public Relations Office. In Your Excellency's Address, changes of routine and scope are referred to. You say that they will not happen in 1946-47, but that they will happen. I am very glad to know that they will happen because I feel that the present policy is very weak and very negative. I should like to feel that the money we are going to be asked to vote will be expended in a more live and virile way. The function of this Department is the dissemination of truth. That is being done through radio broadcasts, displays of cinema films and the periodical "Nigerian Review." That is a very worthy publication, but it is extremely dull, extremely austere and completely lacking in popular appeal for those for whom it is intended. Meanwhile, however, other interests are disseminating

what is frequently far removed from the truth. They are doing that extremely successfully through certain sections of the Press. There is nothing more pathetic than to see a young African, with a burning desire to learn, pouring laboriously over these papers and, because of his limited experience of the world and of the printed word, believing what he reads. That is a deplorable thing and one which the Public Relations Office exists in order to counter. I should like to feel that a considerable part of the £60,000 will be used in countering this evil. The present somewhat tepid Press Notices which correct the more outrageous mis-statements are just not sufficient to cope with this very real evil. Government has much to be proud of in her present administration and, I hope, even more to be proud of in her intentions for the future. Why should Government be afraid to trumpet this truth in a clear note and drown these insidious off-key discords which are merely deceiving and bewildering the people. I submit, Your Excellency, it is Government's duty through the Public Relations Office to discover and to administer some antidote to the poison which is threatening the lives, well-being and happiness of the Nigerian people.

His Excellency :

As it is nearly 12.30 would it suit Honourable Members to adjourn now. The Council will adjourn until 2.30.

Council adjourned at 12.30 p.m.

Council resumed at 2.35 p.m.

The First Lagos Member (The Hon. E. A. Akerele) :

Your Excellency, I regret if I have to start my speech this afternoon with some complaints. Complaints which are in my humble opinion genuine and require immediate redress.

In Yola, in Adamawa Province a clerk who had had seventeen years in the service was convicted of being in possession of illicit gin, and was fined a sum of £5. According to the present Ordinance, Sir, there is no appeal where there is not a fine exceeding £5 or where there has been a fine only. The clerk in question, though ignorant of the Law, petitioned the Resident, and from the Resident to the Commissioner that he might be given a chance to appeal as he was not satisfied with the judgment, but no reply came to those petitions. The next thing that happened was a letter intimating to him that in view of his conviction he was dismissed from the service, from that very day. Now, Sir, that man is a native of Lagos who was transferred from Lagos, and has been in the North for some considerable years. All he had was a letter of dismissal after seventeen years service and the only reason given for dismissal was the fact that he was convicted of being in possession of illicit gin. It took three weeks or more of petitioning and arguments and writings before this particular clerk could be given what is called a repatriation warrant to come back with his family to Lagos from where he was transferred. He has been told that his pension and gratuity are gone. To my mind, Sir, the decision is too drastic for a man who has done seventeen years. Whether

or not the conviction was right, I say, and I repeat, Sir, that this is a very sorry experience. I have had brought to my notice cases of clerks who have actually been convicted of more serious offences than that of the clerk in question whose gratuities and pensions have been recommended and paid. I am saying this because I think the Commissioner for the particular Province is in Council with us and I should very much like that the case of this young man should be referred to him again and the petition given favourable consideration. I can understand a man being convicted of theft of government money—but in a case of illicit gin—it is a common offence here in Nigeria.

Another complaint I have, Sir, is with the Oil Control Office—there have been a lot of complaints by the people about the manner in which the Oil Controller deals with them. When a man wants petrol, tyres or motor cars from that department, it seems that the Controller has been more on one side than the other. He has been discriminating quite a lot. Africans have suffered, and are still suffering. A man who is in urgent need of petrol is made to stand is not even offered a seat, and then told he cannot have petrol. A man wanting tyres for his car calls several days and is then told there are no tyres, but friends of this particular African concerned—a white man—goes in, and out he comes with any quantity of oil and tyres. In the case of motor cars we have been told there is a shortage of motor cars, and we appreciated that and have been content with using old cars, but when new cars arrived some time ago the Oil Controller would only sell them to Europeans and Africans were told you can buy Mr so-and-so's old car. Why must he have a new car and leave his old car to the African to buy. The Controller has been discriminating, and there is some sort of feeling that everything bad is given to the African and we say that this should not happen, what is sauce for the goose is sauce for the gander. No one should be given discriminatory rights especially when it comes to the question of petrol, tyres and cars. Some people would like to go away from Lagos who have lost parents or family, but cannot get away unless they can go by car. They could not get any petrol for that even. I am saying this because it happens to have been brought to my notice. It is general saying about Town of this particular Department, and I feel people should be treated equally.

Now, Sir, there is another question — about Exit Permits. A few days ago — to be correct two weeks ago — I took the trouble to arrange permission for a friend of mine who wishes to proceed to Dublin to study medicine. I got the College to agree to her going to Dublin and I applied for the necessary Exit Permit—I did not get a reply for some time and I had to go down to the Secretariat myself, when I got there somebody showed me a paper which had come apparently from one Branch of the Secretariat stating that there was no more Exit Permits. I went to the African in charge of the Department, and he told me that this had been done by another section of the Secretariat, without their consent, and that as far as he knew the Secretary of State still wishes to control students proceeding abroad for study. I wondered whether the Exit Permits had been cancelled, and if cancelled what is the necessity for wishing to control students, especially students not going to the United Kingdom, but to Dublin. I am saying that the matter of Exit Permits is

most unsatisfactory to us. If Exit Permits are cancelled in other countries, I do not know why the Nigerian Government persists. We should like some pronouncement about this matter.

Now, Sir, most of the people before me have spoken on the question of acquisition of land. During the last Session of the Council I made it plain that there was some misunderstanding as to the Land Acquisition Ordinance, and the acquisition under the Development Plan. We tried our best to explain the position to the people and they were happy about it, and then this question was put to us "If our land is acquired for Government purposes, and if my land was Freehold will I have it back as Freehold." Sir, I think you will be able to answer that question. We sent a petition to the Chief Secretary, the result of that petition was that no definite announcement was made as to whether a man whose property was taken as freehold will be returned to him by the Government as a Freehold property. I notice in Your Excellency's address that you touch on the question of acquisition, but Sir, I must confess, that even that address does not solve the question, and there is no guarantee that land that was Freehold will be returned as Freehold. This question is so much agitating the minds of the Chiefs and people of Lagos. At 4 p.m. there is a meeting and the Chiefs and all are going to be there, and nobody knows what the result will be. A simple announcement that their land will be returned to them as freehold will give no necessity for the fear that people have got that Government is only going to acquire land and after having cleared it give it back to them as leasehold property, and they can never develop the land and it seems that the real object is to stop them from holding land of their own. That is the object of the meeting today, and we should like a definite pronouncement on the vexed question as to whether we can have our land back freehold, and not as leasehold, or on what terms we are going to have it back.

Under the Development Scheme it was fully explained to us that the Town had to be improved. We all realise and sympathise and we do want improvement slow as it may be, but we do want to be able to say that this piece of land or house is my property, that I can will it to my children.

Now, Sir, on the question of agriculture we were told that students sent over to Trinidad under the Scholarship Scheme came back all failures—the reasons have not yet been told to us, but confidentially I think I was told the reason and that is that these men were too old when they go to Trinidad—there is so much to think of that they cannot get on with their studies. They are good at the work, but when they get there they have a lot of brain work to do and that is the cause of failure. I hope that will not dissuade the Scholarship Board from sending further students for training in Agriculture to Trinidad. We in Nigeria have nothing but agricultural land, and we need agriculturist and we ask that younger men will in future be sent—with no wives to worry them and no taxes to worry about, to see whether in truth and in fact the studies are beyond them. I am sure that that will bring better results. I remember a colleague of mine who was at Grammar School with me from 1917-1920 went to Ibadan when I was at King's College—he got his training at Ibadan. He was then sent to Trinidad and came back fully qualified. So I say we still have brains if the young men are sent.

I am quite sure that in later days when we have our own University there will be no need to send people to Trinidad as everything will be found here. Another difficulty in discussing this matter which I must refer to Your Excellency is the question whether qualifications of those coming out of the proposed University in Nigeria will entitle them to the same recognition and salary as those who have been trained in Trinidad. If we have a University here we shall of course not go abroad, we do not want to travel. We want it all here. I think, Sir, the fact to be decided when the question of a University arises is whether the boys who are trained here are going to get the same pay and opportunities as those who are qualified in Trinidad. If they do, then I think everything will be well.

Last year, Sir, I talked about Electricity to be separated from the Public Works Department. When the officials reply to the debate I look to find the Director of Public Works to reply to that question put by me, but be it as it may I am happy to see that Your Excellency also has said that Electricity will now be a separate undertaking. It is a separate Department and should stand by itself. Another member suggested that the Town Council should take it over, I discussed it but unfortunately the Town Council told me they were not prepared to do so.

I noticed that the teachers' salaries have been improved and considered. I do not want to go over all the improvements again because it has all more or less been said before by the members who have spoken before, but I am glad that that has happened because as I said three years ago when I first came to this Council, I made a petition that teachers should be adequately paid as they have in the past been poorly paid and I am happy to see some improvement has been made in that direction.

Your Excellency, three years ago dealing with the Legal Department I referred to Your Excellency's speech to what you said that there was a shortage of qualified Legal staff, and I at that time said that the Department seemed to us not to want Africans in it, but whoever was here will remember the reply that I had from the Attorney-General to the effect that I cannot see, Sir, why three years ago the learned Attorney-General rose up and talked about this Department being overworked and in Your Excellency's speech today, the same words were repeated that the shortage of qualified staff in the Legal Department had made it necessary for Crown Counsel to be moved from Kaduna to Ibadan. Well, Sir, we were told three years ago that the work of a Crown Counsel was such that requires, for us, next to Almightiness, that is whoever wishes to be a Crown Counsel must be of good character, honourable and as near divine as possible, he must be fully qualified, and he must be able to give to the Chief Commissioners and other high officials advice when it is required. Is it suggested, Sir, that from that time up to now that there has been not a single legal man in Lagos who is able to fill the post of Crown Counsel? Does it mean that the whole of the Lagos Bar, the whole of the Nigerian Bar, is composed of men not qualified to take the post of Crown Counsel? Is it to be supposed that they all have characters not good enough to be Crown Counsel? I submit "No," Sir. I still maintain and I say, Sir, that this Department should have sufficient legal men to take appointments therein in Nigeria and that nobody has even

been offered such an appointment, at least since the last three years and there are people in abundance at the Bar in Nigeria to take up the work of Crown Counsel. And so, Sir, I do not think it does any good to the Department when year after year Your Excellency delivers your speech and still refers to the shortage of staff in this Department. I notice that they have done quite a lot of work and I congratulate them. Even with this shortage of staff they have been able to put in the Statute Book seventy-three Ordinances. They have given us something to think of. They have done all that creditably and I give them all the credit for the fine work they have been able to do with the meagre staff at their disposal especially at a time when Ordinance upon Ordinance has to be passed. I am grateful to the Honourable the Attorney-General and his legal staff. There is one thing I would like to see. I confess, Sir, that there has been no qualified Legal Draftsman in the Department.

Your Excellency, referring to the Police Department, I must definitely join in the showering of bouquets on the Police Department. I think I am competent to speak because I do more work with the Police than anybody else and I am in entire agreement with all the remarks made by Your Excellency on the Police Department. They have my good wishes. While we are showering bouquets I must also shower a bouquet on the Railway Department, the Marine Department and the Printing Department. The Printing Department especially for the volume of work they have been able to present from machines not up-to-date and they have not at any time let us down. I entirely agree with all the remarks made about this Department.

I think, Sir, that in closing I must say something and that is not particularly because I happen to be a Member sitting here. I may not appear here again for all that I know but I have often thought that the House in which we are all accommodated today needs a better hall. It is dreadful in the afternoon. I am an African, used to the sun, but I found it very difficult when I came here this afternoon to settle down in the Council Chamber, having worked only a few minutes, and I think that if we cannot get money from other sources we should get it from Development to have a proper House for this August assembly.

The Member for the Rivers Division (The Ven. & Hon. Archdeacon E. T. Dimicari) :

Your Excellency, I must first of all congratulate you, Sir, on your speech at this time and also that of the last Session. Nigeria is a great country with great possibilities and she needs a great leader ; firm, tactful and sympathetic. It is the belief of many of us, Sir, at this transitional stage of this country that we have the right man in the right place.

The Appropriation Ordinance has my support in as much as the raising of the required sum of over Eight million pounds does not bring hardship to the poorer class of Nigerians. It is a venture of faith, as pointed out in Your Excellency's Address when you said " the financial measures contemplated for 1946-47 taken as a whole constitute an act of reasoned faith in Nigeria's future." I have faith in the Heads of Department, who have given me (and perhaps others) the impression that they mean to make this Government

second to no other Colonial Government. One only has to visit any of them in their department, in their office, to be convinced of their courtesy and readiness to help. It may not be true in all cases, but in the main I think all will agree with me that that is so. If the lesson they silently teach can be learnt by their subordinates the achievement of our aim becomes easy by co-operation, consideration one for the other, and goodwill. When that is the case, the machinery runs very well and success is assured.

The Owerri Province, in which my constituency is situated, Your Excellency, is so vast that I often feel that it is lost in the whole. For effective Government I think it is now time to carve out a separate province for the places which are so easily accessible by water transport. A Rivers Province, with Headquarters at Port Harcourt will be a great stimulus to the development of that part of Nigeria. In that case the main Owerri Province would be relieved of the River encumbrance and be able to go ahead with the necessary development. It must be a difficult task for Administrative Officers to cope with people whose interests are divided. The constituency of the Rivers Division is partly in the Owerri Province, partly in the Calabar Province and partly in the Warri Province. The people themselves are longing to be brought together so that they will be able to develop on their own lines and I hope that it will not be long delayed so that the Rivers Province is able to help in the present development of all Nigeria.

My next point, Sir, is the Manilla Currency. In my first address to this House I pleaded for the removal of that currency. This currency is very cumbrous and the longer it is kept in the country people feel that the civilisation of the people who are using that currency is kept back. I expected since I last spoke about it that it would have been removed but it is still there. It is a nuisance and by exchange the value of money is reduced: six manillas for one shilling: that brings hardship to salaried people. I earnestly ask for the withdrawal of this currency from the markets without any further delay. Articles have appeared in the "Eastern Mail" which reveal the anxiety of the people in the area where it is used. I have more than once sent in a question on this subject, and I am happy that this long-outstanding question has now been answered and I hope that 'as soon as possible' will not mean a year or two.

I want to make a few remarks in connection with the Marine Department. As one representing Rivers, the most interesting Department of Government as far as I am concerned is the Marine Department, and I want to say how grateful I am to the Honourable the Director of Marine for providing a passenger launch recently for the Rivers people, but may I say here that the fare now charged is too much for the poorer people. Not many people can afford to pay one guinea from Port Harcourt to Akassa. If the people are to be helped, which I think is the aim of that transport, it should be brought to their level so that they can move about and use the transport. Now that we are coming into normal times I hope it will not be long before the two launches which were approved in the 1945 Estimates are built so that at least a weekly service will be available. At present there is only a monthly service. We are very grateful for that but it will not fully solve our problem, until it becomes weekly and perhaps eventually becomes daily.

I have for some time now travelled on the "Ajassa." I was relieved to know that she may soon be overhauled and I hope when that overhauling is done that it will be remembered that though it is a collier many people from Port Harcourt to Lagos travel by her. The inconvenience and suffering of some of the deck passengers through lack of natural conveniences is deplorable and if that boat is going to serve the purpose of carrying passengers, it is absolutely necessary that conveniences should be provided for those who travel on her.

Education Department.—Your Excellency's Address on this Department is very interesting. It seems to me that the Department is leaving no stone unturned in its machinery to tackle successfully the educational problems of the country. Evidently, the Northern Provinces are having a good share of Western education. This is very important for the good of united Nigeria. The office of Lady Assistant Director of Education on the woman's side is very welcome. Opportunity has thus been given for particular attention to be paid to the education of our women, which is very important. Our women must be given equal opportunity for education with men. It is satisfying to have one who understands their need and is able to help them. In the past these schools have been run on the lines of the education of men and the women are just put in to make the best of what is provided for the men but now a Lady Assistant Director has that job in hand. I was very much relieved to see that particular interest is paid to the advancement of education even in some solitary parts of Nigeria, and for this I feel so grateful to the Lady Assistant Director of Education.

I may say here, Sir, that in Ijaw, Ogbeyan, Nembe, Kalabari, Okrika, Bonny, Opobo and Andoni, etc., are a long stretch of place. I am advocating now that it should be formed into a Rivers Province. There is not one Secondary School. We have there one Government School reading up to Standard VI. All other schools are by Missions and voluntary agencies. It is important that serious consideration should be given to that part of Nigeria so that they may share in the present-day education. Primary education takes a boy or girl nowhere and if the people are not yet able to provide Secondary education for themselves I think it then becomes the duty of their benign Government to help them. So I appeal to the Education Department to give priority to the establishment of a Secondary School in any convenient place in the Creeks. It is one of the plans of the Development Committee but I do not know whether it is given the attention which it deserves. I hope something will be done before long. It is rather disappointing to feel that in other parts of the world there are so many Secondary Schools and in that part surrounded by water not one Secondary School exists for the use of the people.

Posts and Telegraphs.—This Department has in recent years done great service to the community in establishing Post Offices in various places including many out of the way places. The delay in these days in delivering letters and telegrams and the inconvenience to the public when one has sometimes to wait in the offices, demand a substantial increase in personnel. Some of the men at the counter some times appear to be rather discourteous and I had to call a Postmaster to order and all the reply I could get was that

ne men were over-worked. They are angry. They need a substantial increase in staff so that our postal work will go as regularly as clockwork and feel that the men at the counter should be trained in the art of attending the public with a certain amount of regard and courtesy. Perhaps the Postmaster-General has a scheme to improve this sorry state of affairs.

A word about Civil Servants. Your Excellency, the housing of many Civil Servants is not at all satisfactory. How can a married man, Sir, live in a room ten by ten with children and servants? We are courting disease. We are talking about slums—the Government must be the first to set an example in ridding us of slums. I hope the project of providing suitable housing for Civil Servants will be expedited so that this disgraceful inconvenience and discomfort may be ruled out. A man, woman, children and servants living in a small room of ten by ten and yet he is a Public Servant. I feel it is a disgrace. Better housing is very, very necessary and if the country is to develop to a certain extent it depends upon the workers. They must be well housed and then their health will be all right and they will give better service.

It is heartening, Sir, to read what you said in page 3 of your Address about salary and cost of living allowance for Civil Servants. "I cannot, of course, foretell what the results will be of the deliberations of the recent Commission on cost of living allowance or of the enquiry shortly to be conducted by the Commission appointed to go into the question of the salaries of established staff, but it seems unlikely that these results will be negative." It is heartening to read that and I hope that something will be done before long to clear the present gloomy atmosphere all over the country. Most of the African Civil Servants appear at the present time not to be pulling their weight. They must be given not only a living wage but also a saving wage. The strike of June, 1945, was unfortunate but it revealed how unsatisfied the workers are with their conditions of service which I hope will be improved before long. This Honourable House representing Nigeria must be very grateful to those who during the strike kept up essential services. I have some personal knowledge of the sacrifices which some of them had to make and the difficulty which they had to pass through in keeping up essential services during that trying period and I think that as a country we owe a debt of gratitude to those who came to our help at that trying time.

A brief reference, Sir, was made in your Address to Port Harcourt's desire to form a municipality. "At Port Harcourt the question of municipal government has aroused interest and is being closely examined." This at the present time is a burning question in Port Harcourt. Many of the educated men in Port Harcourt are very keen on the municipality being established but some people have some fears what it might cost the poor people, bringing them perhaps some financial strain. Some people say it is an expensive undertaking but in any case the people of Port Harcourt as a whole are anxious to have a municipality and I hope that they will be given every encouragement on that line. I feel, Sir, that Port Harcourt as it stands today is too important a town not to be represented in this Honourable House and I hope that the time will not be long when besides the Commercial

Member for Port Harcourt we shall have one or two Members here representing that important town.

The Public Works Department.—There is a very important bridge at Ahoada—the Sumbrio Bridge. I understand that it was proposed to start to make a permanent bridge there from last January but up to the present time nothing has been done. That part of the country is growing in importance. We go straight from Port Harcourt to Ahoada, thence to Abua along to Degema and it is important that a bridge like this should be given first consideration over all other things in view of its important position in regard to the development of that part of the country. May I here also say that it might be possible for influence to be brought to bear to get the Native Authorities to give more attention to feeder roads. A bridge may be broken and for weeks, and perhaps months, no effort is made to repair it. For a whole month I have been kept away from visiting certain important parts of my constituency as well as the place of my ecclesiastical duties because a portion of the bridge is broken down. I thought it was the work of two days but for a whole month nothing has been done, and so it is in one or two other places. One cannot make plans without these things becoming an obstacle and everybody who has business is unable to do as much as he would wish, so we hope that the Honourable the Director of Public Works will help in this way to give immediate attention to any repair that is needed to the bridges. We hope also that in the Development Plan certain roads will be constructed, roads not known to many people, but perhaps if an inspection of survey is made it will be found that they are roads essential to the people living in that part of the country. I refer to a road which I have been told is absolutely necessary to connect Nembe with Ahoada. Probably an engineer might be able to go around and see what possibilities there are at this time when we are talking of the development of the country as a whole.

Lastly I would refer to the Fisheries. The progress made in the Fisheries development is encouraging and I hope that it won't be long before experimental stations are established in the Creeks.

With those few remarks I beg to support the Appropriation Bill.

The Member for the Ondo Division (The Ven. and Hon. Archdeacon L. A. Lennon, M.B.E.) :

Your Excellency, I wish to follow the Honourable Member for the Creeks or otherwise perhaps I may go to sleep. I think this time of the day demands a certain amount of physical relaxation.

First of all I want to thank you very much for re-nominating me to represent the Ondo Province in this Legislative Council of Nigeria. I thank the rulers and the people of Ondo Province for replacing confidence in me; and I would like here to pledge my loyalty and service to this Province, and not only to the Ondo Province, but to Nigeria, and I would say to Africa, and the British Empire to which we belong.

I want too, Sir, to associate myself with those who have said something about your able speech last Monday. I wish to join in thanking you for your excellent speech to this Council. It may sound flattering; but men

like you are not easily flattered ; and whether we agree, or not with all you said, and I do agree and endorse what you said, we all nevertheless, must conclude that it was an able speech and I would say a real intellectual treat.

I want, however, to say a word for our Press. I say our Press, Sir, for it does belong to us although some people at the head of the Press seem to think that it belongs to them. If we did not support it I do not know where they would be and I wish they would realise that we always feel very much concerned and wish that in expressing their views they will deliver the goods and give us something worthy of Nigeria. Our Press in this country is yet young, and as you know, Your Excellency, youth is venture-some. It needs a certain amount of tolerance and guidance ; and I hope as we grow older we shall be able to take our place amongst the Press of the world. I think they too must have blundered, they too must have stumbled and they too have come from small beginnings ; and now we should like our newspapers to become like the English Times, The Manchester Guardian and other papers like the New York Times. I hope the time will come when the Press of Nigeria will take a real good stand, a laudable stand among the Press of the world. We must admit, Sir, with regard to toleration, Government has been very tolerant and we now respectfully ask for patience and guidance to the Press. I hope that in spite of what may seem scathing to the Press, they will take everything in a real good spirit in which it was given. No chastisement at the time seems pleasant—we all know what that means—perhaps as children grown up to men and women : but if that chastisement is taken in good faith we shall grow to benefit, and I feel that the Press at this time, or a certain section of the Press, should take whatever scathing remarks that are made in good faith and trust for the future to do better. Personally Sir, I have great hope in our young Press. Your Excellency, I have seen much improvement in the Press of this country ; and I am glad to say that I am able to speak with a certain amount of seniority—I am not young—sixty years of age last birthday, and I have had thirty-one years in this country ; so I have seen something of the growth of the Press in Nigeria ; and I can say we are not so badly off at this time as we could have been otherwise. I have seen much improvement and I will ask that the Press will improve and give us value for our money. And this may seem a little personal, but if it will be taken in the friendly way in which it is given, I will say I do not see any reason why a paper like the Pilot should be sold for 2d when other papers just as good are sold for 1d and perhaps a little less. Then I would like to say, Sir, why are we treated to, or given all this Lagos trash sometimes. I say this with no reflection on Lagos ; but it does appear to be the only place represented in the Press ; and we have to pay our money to read what is sometimes really rubbish. There are so many good things in this country, so many articles, so many subjects on which people could write which could be educative and edifying to our people, that it is a great pity people have to spend their money for something that is neither educative nor edifying. I will ask that the Press will improve on broader lines and be big enough to step over little nonsenses as pebbles in the street, and let what may seem failure at the present time be stepping stones to success. The day will come when we will feel proud of the Press, and the day is not far distant when Your Excellency may be able to say “ we are proud of our

Press in Nigeria." With regard to the Press I would like to say a word of thanks to the Public Relations Office for the stuff they are trying to put out there. At present we are able to read the Nigerian Review, or Nigerian Review for children, I do not remember quite—these are very helpful and we feel now we have something we can quite safely put into the hands of our school children and people ; and I do not see any reason why other papers should not be as good. There are so many important subjects and as I say there are so many things to write about in Nigeria, in this great and fascinating country of ours, that if people would get out of Lagos sometimes and see Nigeria, instead of going to see Europe and other parts of the world, it would do Nigerians good. Many people in Lagos do not even know Ebute Metta properly ; and if they are going to Abeokuta or Ibadan they say they are going into the interior ! I wonder what they would say if they go to the Ondo Province ?—They are missing the beauties of their own fascinating country : and if they would travel more they would have more to write about, and give us better stuff to read for our money.

I come to the Bill, Sir, the Appropriation Bill, and I want to join in congratulating the Honourable the Financial Secretary, his staff, his colleagues and all those who have worked with him to produce this budget. Year by year we come here to pass this Bill and it is the only time when we get a chance perhaps to blow off steam : and though it may be irksome sometimes for some people, and I think it must be sometimes to Your Excellency to sit down and listen to all we have to say. We shall not be a long time ; and I hope by this time tomorrow we shall be in committee. First of all I would like to say something about the Public Works Department. I want to say a big thank you to the Director of the Public Works Department for the first signs of development. I think the Public Works Department as we look round have set the ball rolling with regard to the great Development Plan ; and we hope it will continue and the ball be kept rolling so that before long we shall have roads all over the country and good roads too.

As I go about the country I see drums of tar put by the roadside, and I see stones or gravel or whatever it is they use, being prepared and I look forward before long when we shall have our trunk road from Lagos to Asaba properly tarred, and a joy to ride upon. I want to say specially a word of thanks to the Director of Public Works to be passed on to his men for straightening and tarring the Akure main street. It has given us such a breath of courage and confidence that we feel real development is going on. It is not only talk ; but we want to see this continued. Talking about the straightening of the Akure main street, we want to see not only this ; but we shall want to see some other signs of improvement on permanent lines such as light and water not only in Ondo, but Kabba and other Provinces. Coming back to the straightening of roads, we lose very much in this country and we spend very much time and money in having to deal with these crooked roads in Nigeria. I do not think, and I do know it is not a credit to the engineers of the past. Perhaps it was the line of least resistance to have all these twisting and crooked roads. Sometimes you see a place straight ahead ; but you have to go here, there and everywhere to get to it. I feel it is a waste of time and energy to travel on some of these roads ; and I think the

time has come when we ought to have straight roads. As I said last time, I look to see if we cannot get some of these roads overland I suggest we go through the land and I think Nigeria would welcome some tunnels for a change. It is not only that but we want to see good roads. Take the road from Lagos to Ibadan, there are some places where two cars can hardly pass. It is time we have what is called in other countries, highways, where two or three cars can run abreast. I know the Director is going to tell me it costs money. I know we can get nothing without money : and in these days of development I do hope we are going to have good roads where we do not have to stop for another car to pass, or be turned over into the ditch before it can pass. So straighten our roads, and for better roads we ask. Nigeria is such a wonderful country and a great country and we should do great things. I am very grateful for this development plan ; and I hope we shall see this development before we leave this country from old age, retirement, or something else !

In talking about this development I want to say here how much I dread the departure of many of our experienced men, officers and others who at this time when we can hardly spare them to go away on retirement or for other reasons. I would say here Sir, though perhaps it is off the point, that no stone should be left unturned to see that we keep our experienced officers as long as possible in this country ; and as I said last time, I hope many of us who worked and have brought to birth this development plan will remain long enough to see that the plan is carried through, and not be shifted too quickly to other parts of the world. Therefore I would say I congratulate the Director of Public Works on the start and I hope that start will continue ; but I would also like to say that I think much could be done in seeing more of the country and some of these roads for himself. In many of the Offices we see maps, and even see maps under the writing pads. You look at these maps where one place seems to lead straight to another, whereas in fact you may know from experience by travelling over that road again and again that the map is misleading. I hope, Sir, that not only the Public Works Department but every other department which seems to rule the interior from the office desk, and headquarters in the Secretariat, and other parts, will sometimes get out and see the country, so that they can know what they are talking about. Some of the maps are old, and some of our important towns in the Kabba and Ondo Provinces have no place on these maps, and we are asking that people will step out and see for themselves these roads, so that we can come on the map somewhere. There is one road I should like to mention here, and I would like to say that the prospect is very inviting, and that is the road linking Kukuruku in Benin Province with the Ondo Province. Hitherto people from Kukuruku would have to come round to Benin, to get on the main road or go round Okene and Ekiti to get to Oshogbo or Ibadan. Today, Sir, we are able to cross the Ose River between Ishua and Ibilo by putting up a temporary bridge there, and I have gone over that road twice now by car : and I can say that anyone who wishes to travel that road will find it quite passable, and I think it will be made better as years go by. Before long I hope there will be many more crossings over the Ose River to enable people to go more easily from one

place to another. I am asking that the Director of Public Works and his able staff of assistants will come and see some of these places and see whether or not we are talking of something that is possible. We in the Ondo Province suffer very much from this Sir, and we are becoming a bit impatient about many of these things we are asking for. Our towns and roads very often are not on the map and we do want to get them on the map, and when people come to see us they will see we are not so "bush" as they assumed.

I intended to say something about Posts and Telegraphs; but I think my honourable friend of the Rivers Division has said something about it and he has said nearly everything I wanted to say. We happen to live in the same place and he must have heard me talking in my sleep! However we have to thank the Posts and Telegraphs for what they have done, giving us postal agencies in different parts of the country. But as he has said, we are not satisfied with the Posts and Telegraphs. Something is wrong, and radically wrong too. It is so slow and the workers seem to be tired and sometimes I would even say hungry; and a hungry man is an angry man! They are overworked and their manner is not at all good sometimes. I know they are overworked. I went into a Post Office at Owo and I saw a weak and ill-looking man, the Postmaster, who was only fit to be in hospital. I asked him why he was working in such a condition, and he said "I have no-one to relieve me." I was very sorry to see the poor fellow working like that because he had no-one to relieve him. They were short of staff. All this seems to militate against the progress of the Posts and Telegraphs and as we said this morning, you can get a cable from England to Nigeria within twenty-four hours but before you can get it at its destination in Nigeria it runs into days and weeks—it is not good enough—and as for telegrams it is disgraceful. It is like taking peoples money under false pretences. You pay for a telegram expecting service and instead of speed you get nothing. About three or four weeks ago I sent a telegram from Ibadan about 10 o'clock in the morning it was to ensure my lunch in Lagos. When I got down here no lunch was prepared (but I did get something) and after lunch at about 4.30 p.m. I rang up the Post Office at Ebute Metta to ask whether my telegram had arrived, and no telegram had arrived even then. I nearly lost my lunch, Sir, and I lost my 1s too. I think many people can testify to this, and I will say it is not good enough. I am speaking against myself, as I am the Postal Agent for Ikare! I know people are complaining and as I said, something must be done. Today we have a lot of capable people coming back from the army. We ought to be able to get more clerks and we ought to be able to supply better accommodation. Some of these places are very congested. The Post Office at Ibadan is sometimes chock full and you wonder when some of the people will get away. One of the difficulties is perhaps some people will not buy all they want at once. I ask that some consideration be given to it. We are asking too that we get better Posts and Telegraphs attention in many places in the Ondo and Kabba Provinces. At places such as Ado-Ekiti, Ikare, Kabba, Okene which are centres and we could name many more places; and I do not see why we are told to wait and have patience until 1947, 1948 or 1950 or sometime. I wonder whether there will be a time when I can take the

telephone in Ikare and speak to Your Excellency, or the Resident! I think we must only wait and hope for the best! We want these things very quickly, Sir.

Medical.—We are very grateful here again for what the Medical Department has been able to do despite the shortage of staff. We may be told that half a loaf is better than none; but I think sometimes it would be better for a man not to know the taste of bread than to know the taste and not be able to get sufficient! In our part of the country the medical position is very very poor indeed—at Ikare, Akoko and parts of the Kabba country Ifon and Okitipupa. There is only one medical officer in a large place like the Ondo Province, and so too in the Kabba Province. He cannot do it; and sometimes we feel it would almost be better without than having this half a loaf. We are asking you to speed up the building of hospitals or alleviate it by letting us have travelling hospitals; and if you cannot do that now, do give us an ambulance, Sir, that we can get our sick people to Hospital very quickly. In any one of these places if we had an ambulance we could get a patient very quickly to Hospital. It is a very serious position. There is a Maternity and dispensary at Ikare and two months ago we had a very serious case that needed a Doctor, we could hardly get any transport, and my car having broken down, I got the Native Administration lorry to take the woman through to Akure nearly sixty miles away. She got there anyway; the Doctor was there and saved her life and the life of her baby. The people were very harassed and annoyed at having to pay for the Native Administration lorry—their own lorry and I was very much annoyed too. However, I think the money was got. That is the kind of thing we suffer. Last Wednesday I came home very tired, expecting to have a good night's rest, but I was kept up all night. I had to get out my car to run a patient through to Akure to save her life, and so it goes on. We have not an ambulance, give us an ambulance, or something. Sometimes there is no petrol to do the job and yet we are paying taxes: and this is to be increased now! You will say where are we going to get the men—well how can we get the men if we don't train them. I think if conditions are made more encouraging Doctors will come out. A little while ago I understood that over the wireless they were asking for a ship's doctor. There was an advertisement and over seventy applications were received. We know a ship's doctor—yes! Well, if Nigeria will pay the price, I think we could get the men and women, and they will come. Besides I feel the time has come when we must train our own men, I think it has come right now when we ought to stop promising youths in our schools and train and earmark them for certain places when they come back before they are tempted to stay in Lagos or in other Provinces. It seems to me that many of the youths who go away with good intentions, when they come back they like to settle down in Lagos instead of going up country. Where are the pioneers of the Medical Department who will come and help their own people? In Lagos there are doctors all over the place, but in the Provinces we cannot get them for love or money.

We need better hospitals in this country. We hope that those that are going to be built in will be first-rate hospitals, and we want them all over the country. I would say, Sir, that when these hospitals are built we would

ask Your Excellency to remove this discrimination between African and European Hospitals. People do not like it. A hospital is a hospital anyway, and I do not see why it should be called European or African hospital. If we die there, we all go under the same six feet of earth at last, and I do not see why there should be all this discrimination. Many people do not understand this colour bar ; and we do not want to affect the good feelings, good manners and the goodness of this country. Therefore when we are building Hospitals let us have Hospitals where His Excellency if need be can come and have a restful time and the poor man too can go there and enjoy it. It may be according to means of course—let the man who can pay pay—a sick man is a sick man anywhere when he goes to hospital and he should have equal treatment with anybody.

Now I want to say something about the treatment and training of our nurses. Something was said about it ; and I think if we are going to encourage decent girls to be trained as nurses we must give them decent consideration. In many of our Hospitals where our girls are trained as nurses and midwives they are left to the mercy of the men. It is not good enough Sir, I do not know what happens in the Lagos Hospital, if there is a good hostel where girls can go, or whether they have to seek quarters outside rain or shine. If we are going to encourage decent girls to come in and take part in nursing and midwifery we must make proper accommodation for them, and we must give them proper status. There seems to be some reluctance to call an African nurse a sister. We do not want that. It is not good enough. We want the same name for everybody, whether she is black, white, green or blue ! And as I said, we are not creating posts for people, but we want people who prepare themselves to fill the posts, and when they are equipped to fill these posts, then let them have the posts and status. It will be encouraging to other people. I would also like to speak, Sir, about our dentists. I see no African dentist practising in the Government service. I do not think there are any. I did ask a question about this but have had no reply. I must say that many of these questions,—the answers, we just take them !! Some of them are not good enough. I think it would be good if Honourable Members did not ask so many questions sometimes, because I do not think that some of them are very comfortable. The truth is not very comfortable sometimes. But to come back to the point with regard to dentists. I do not see why children in our schools should not have dental treatment. After all they are the future taxpayers of the country. I am asking respectfully that we should pay special attention to getting dentists to go round our schools to examine and test our children.

With regard to the Police, Sir, I was very pleased with what Your Excellency said, and I feel it was well said and well deserved. They are a real hard-working set of men, and I think our Commissioner of Police ought to be proud, and we are all proud, and I do hope that the Force will so improve as to attract the best of our youths into the Police Force ; but I would like to say here Sir, with regard to these Police posts, I know some of the causes why they remain, shortage of tyres, etc., but they are a jar on many of us at this time after the war. Now the war is over and the war restrictions removed, some of these men on Police Posts can be better used in other

parts of the country. They should be sent down to the Leopard Society country where police supervision seems lacking! Certain things are happening while many of these men waste their time at Police Posts: and I think they could be better dropped or scrapped. We are beginning to be fed up with the Police Posts and every time we are stopped to be checked up we feel that something better could be done. I hope, too, Sir, that as we give the Police the praise we shall soon be seeing them in better uniforms, better headgear and other things. Some people will say: "Well, they are comfortable and suitable." Well, yes, maybe at certain times of the year. Also, we do want some dress uniform for the Police. We do want them to look smart, bright and better clothed sometimes. We are grateful for the accommodation which is being renovated for the Police. We are grateful too to the Commissioner for all that is being done to make the Police Quarters attractive.

I would say here, Sir, that our clerks ought to be better looked after as regards quarters. After all, our clerks are the people who do the work. Say what we may the clerks are doing a good piece of work and without them I do not think we would get very far; and if we are going to use these people and get the best out of them, I think we ought to give them a decent place to live in. I respectfully ask, Sir, that clerks' quarters receive proper attention. It is said we do not as a rule provide quarters for our clerks, but if they live in Lagos they cannot find a decent place to lay their heads. The Department to which a man is sent should see that a proper place is ready for him. I am quite sure provision is made for an Administrative Officer, or any other officer.

Something was said this morning by the Honourable the Second Lagos Member about religious tolerance. I would like to join him, Sir, in asking for more of this. It may sound strange coming from me, but I do not stand here for any one society; I do not stand here for any one denomination. I refer especially to the Jehovah's Witness Society. They seem to have got into a bad time: their books were confiscated and restrictions were made during wartime, and I am respectfully asking, Sir, as you see best in your own discretion, that they be restored to their former trust and confidence and be given a certain amount of freedom. If the Church cannot stand up to some of these teachings, I think then the Church is weak and I do not think you should suppress them more than is necessary.

Agricultural Department.—I need not say very much. I am very interested in agriculture and much has been said about it. It may be off the point, Sir, but it is just as well to take one stone to kill one, two, three and four birds, and so I would say here: to encourage agriculture. About mid-November this year, Your Excellency, we propose to have an Agricultural and Industrial Inter-Province Schools Education Exhibition in the Ondo Province at Ikare, to which we are inviting all Honourable Members here, and which Your Excellency has kindly consented to open and to attend. We hope we shall be able then, Sir, to show much agricultural produce and industrial products, and what we can do in Nigeria. It is open to all Nigerians and I hope the Provinces will take their full share, and they will be notified specially in the near future.

But with regard to Agriculture, Sir, many of our men are coming back now from the front as returned soldiers and I am happy to say that as far as our Province is concerned many of these men are settling down to farming. They are going back to their farms and some of them are looking for other jobs ; and I know that the Director of Agriculture is very much concerned, I am asking that everything will be done to encourage these men with better tools and implements. We cannot expect men who have gone to India, Burma and other parts, men who have seen the world, to come back here and go back to the land using some of the tools their forefathers used in the Dark Ages. We want to see something more than that and a farmer ought to be proud of using some of his improved implements. I am proud to be a farmer's son and when I am finished with in Nigeria I want to get back to my father's farm in Jamaica !

I do not think I will say much more on agriculture ; because we are all interested and I think much has already been said, except that I would like to say, Sir, we should like to see more Nigerians trained for work in Nigeria, no matter what has been said about the few men who have returned from Trinidad. Perhaps they had not a square deal, perhaps they had other attractions or they might have been a bit old, but we are asking that promising youths from Nigeria be sent for training anywhere so that we can get the best. These people will return, not as hewers of wood and drawers of water, but as Agricultural Officers. They will be able to understand the mentality and language of Nigeria better than any stranger. Give them the status, give them the training and I think they will deliver the goods.

With regard to Education, I am not going to say much this time. We shall watch and see. There are many things coming and I think we had better wait and see and encourage as much as possible where we can ; but I would like to say that this is the development age and many of us are very anxious to see things being done. We therefore ask the Honourable the Director of Education that he will give us better attention with regard to building grants and good schemes with regard to education.

I would like to say something on Welfare work. The last time we were down here, Sir, we were privileged to see something of Welfare work and I have nothing but praise for the little we saw ; and we hope it will be encouraged. But we feel that much more can be done. As we go about this country, Sir, we see so many lame, blind and all sorts and conditions of men and we feel that something ought to be done for these beggars and blind people and lepers. I would suggest that instead of them being a nuisance in the streets and very helpless and half-starved, that they be gathered together, housed, fed and given some useful work to do that will be useful to themselves and helpful to the community. I do press this, Sir, because many of these people simply trade on their infirmities, which is very pitiable, and if they were fed and clothed they might become an asset instead of a liability.

We talk of human beings, but I should like to say something for the poor, dumb animals. Every time I see a herd of cattle coming down from the North it takes much out of me because I think : There goes this herd, never to return to the North. And many of them are so tired and starved and

beaten, etc., when they ought to be put into a place for fattening and to recuperate they are just slaughtered. It is pitiable. The time has come, Sir, when we have such good cattle in the North, instead of having these animals to walk hundreds of miles, it would be better to kill them in the North and get the meat down in better condition. We here have to buy instead of meat—leather. I think there is a Bill on Wild Animals to be read at this Session, I may have more to say then.

I am sorry to have taken up so much time and I thank you very much, Your Excellency.

His Excellency :

Council will now adjourn until 10 o'clock tomorrow morning.

Council adjourned at 4.45 p.m. until 10 a.m. on Thursday the 21st of March.

Comptrol'rs of the Treasury at Wash. D. C. 1877

Dear Sirs:

I am sorry to have to report to you that I cannot find any more

of the kind you want. I have been looking for some time and have not been able to find any more of the kind you want.

I have been looking for some time and have not been able to find any more of the kind you want. I have been looking for some time and have not been able to find any more of the kind you want.

Very truly yours,

Comptrol'rs of the Treasury

Debates in the Legislative Council of Nigeria

Thursday, 21st March, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Thursday, the 21st of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.

The Director of Public Works,
The Honourable H. E. Walker, C.B.E.

The Director of Agriculture,
The Honourable A. G. Beattie.

The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.

The Mining Member,
The Honourable H. H. W. Boyes, M.C.

The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.

The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.

The Member for the Cameroons Division,
The Honourable J. Manga Williams.

The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.

The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.

The Member for the Warri Division,
The Honourable J. Ogboru.

The First Lagos Member,
The Honourable E. A. Akerele (*absent in the afternoon*).

The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.

The Member for the Ibo Division,
The Honourable E. N. Egbuna.

The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.

The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.

The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.

The Member for the Ijebu Division,
The Honourable T. A. Odutola.

The Second Lagos Member,
The Honourable I. Olorun-Nimbe.

The Commercial Member for Lagos,
The Honourable F. G. Frost.

The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

The Honourable E. W. Cannell.

The Third Lagos Member,
The Honourable A. Adedoyin.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable G. F. T. Colby,
Administrative Secretary.
- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.
- The Honourable W. B. Dare,
Commissioner of Income Tax.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

- The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Senior Resident, Ilorin Province,
Captain the Honourable J. P. Smith.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning.
- The Honourable E. A. Carr,
Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 20th of March, having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 10-12 by the Honourable the Member for the Ondo Division, Nos. 30, 34 by the Honourable the Member for Calabar, Nos. 35, 37, 39, 42-50, 59, 64, 68, 70-73, 75, 79, 89-91, 93-94 by the Honourable the Second Lagos Member, Nos. 99 and 102 by the Honourable the Member for the Oyo Division, Nos. 114-116 by the Honourable the Member for the Rivers Division, No. 117 by the Honourable the First Lagos Member, Nos. 118-120 by the Honourable the Member for the Ibibio Division are not yet ready.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

25. To ask the Honourable the General Manager, Nigerian Railway:—

(a) Whether it is a fact that stones were thrown at a train some six to twelve miles from Enugu *en route* for Iddo?

(b) If so were the police notified and what steps have been taken?

(c) Will arrangements be made for the strict patrolling of the railway line to prevent a recurrence of such incidents?

Answer—

The Hon. the General Manager of the Railway :

(a) I am not aware of any such incidents and without details as to date and trains concerned I am unable to pursue the matter.

(b) and (c) Do not arise.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

54. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether the Government Audit Department has ever been to Ilesha to audit the accounts of the Native Administration in connection with the collection of Income Tax.

(b) If the reply is in the negative, why have the Native Administration accounts of Ilesha been left uncontrolled and unchecked for five years since?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) The Government Audit Department has not hitherto audited Native Administration accounts in the Western Provinces. It is however intended that they should so be audited as soon as the staff position of the Audit Department permits.

(b) The Native Administration accounts of Ilesha have not been left uncontrolled or unchecked for five years.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

62. To ask:—

(a) What was the total cost of the new Carter Bridge erected by contract exclusive of the purchase of land for the approached to the Bridge?

(b) What is the amount that has been spent to date on repairs of the bridge since it was declared open for traffic in 1931?

(c) What is the cause for the continued sinking of one or more sections of this bridge?

Answer—

The Hon. the Director of Marine:

(a) The new Carter Bridge was built by Government with direct labour and not by Contract. The total cost excluding any land acquisition amounted to £372,204 8s 6d.

(b) The total cost of maintenance and repairs from 1931 to present date amount to £12,342.

(c) On the piled portion of the bridge on the Lagos Island side settlement took place in two sections due to soft patches of ground not indicated in the borings taken before construction. This settlement has amounted during the last ten years to $\frac{3}{4}$ inch in one place and $\frac{1}{2}$ inch in the other and there is no indication of its continuing. Settlement on the Lagos abutment was due to land water forming a stream under the concrete of the abutment; this water has been dammed off and should give no further trouble.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

65. To ask the Honourable the Director of Education what is the total cost of the Education Department from the revenue of Nigeria for one year for all the members of the European Staff and for all members of the African Staff employed under that Department?

Answer—

The Hon. the Director of Education:

The *approximate* cost during the current financial year is:

(a) *European Staff*.—£98,000 (including sea and air passages).

(b) *African Staff*.—£79,000 (including scholarships in the United Kingdom).

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

67. To ask the Honourable the Chief Secretary to the Government to state:—

(a) Under what title the land on which the European Hospital at Onikan is held by the Government? How was it acquired?

(b) What is the cost of the buildings on that area now comprising the European Hospital and how did the Government acquire them?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The major portion of land within the Hospital compound was acquired by Government under the Public Lands Ordinance of 1876, and for this land Government holds a certificate of title No. 75 of the 15th June, 1903, filed at Page 297 in Vol. 42 of the Lagos Land Registry. The remainder of the land is vested in Government by virtue of the Ikoyi Lands Ordinance, Cap. 91 Laws of Nigeria.

(b) Buildings to the value of £15,000 were purchased by Government when the leasehold interest of Dr Gray in this land was acquired in 1925. Since then buildings to the value of £3,100 have been erected by Government on the land.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe)

86. To ask the Honourable the Director of Medical Services why a certificate given to military trained nurses by the Military certifying qualification and experience is refused recognition while a certificate from mission hospitals is recognised?

Answer—

The Hon. the Director of Medical Services :

The Military do not give a certificate of qualification in nursing. They give a discharge certificate that the man concerned reached a particular grade of Nursing Orderly. A Nursing Orderly is not a trained nurse.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

87. To ask the Honourable the Director of Medical Services :—

(a) What are the qualifications and experience of the radiographer attached to the Lagos African Hospital?

(b) Is the radiographer in his appointment entitled to private practice?

(c) Why is it that some Medical Practitioners in private practice find it difficult to get private cases X-rayed in the Lagos African Hospital, X-ray Department for which they are willing to pay?

Answer—

The Hon. the Director of Medical Services :

(a) The Radiographer at present posted to Lagos African Hospital holds a British Army qualification in Radiography and has had experience in X-Ray work for over thirty years.

(b) No, Sir.

(c) There has from time to time been an acute shortage of X-Ray films: otherwise full facilities are available for General Practitioners and absolute impartiality of treatment is observed.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

88. To ask the Honourable the General Manager, Nigerian Railway :—

(a) What form of departmental training exists for artisans of the Railway Civil Engineering Department, and whether full details of such training scheme can be laid on the table of this Honourable Council?

(b) If none exists: whether the Honourable the General Manager will seriously consider the institution of one; if not whether he considers the engagement of artisans recruited as at present to be in the best interests of the Nigerian Railway?

(c) Will the Honourable the General Manager, Nigerian Railway favourably consider the request of the Railway Workers' Union for a total abolition of trade tests, and prescribe in lieu

hereof conditions similar to those obtaining in all other departments where the efficiency bar obtains? If not why not?

Answer—

The Hon. the General Manager of the Railway :

(a) None.

(b) No, Sir. The cost of such an establishment would be out of proportion to the number of artisans at present regularly employed. Present methods of recruitment are satisfactory.

(c) No, Sir. A Trade Test is the fairest means of determining efficiency in the Railway, and the good workman has nothing to fear from it.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan) :

97. To ask the Honourable Chief Secretary to the Government:—

Whether in the years 1944 and 1945, there was exodus of a certain number of class II and III Administrative Officers from Nigeria Service and if this was the case, can he give reason or reasons why such officers severed their connection with the Nigerian Government before reaching the age limit?

Answer—

The Hon. the Chief Secretary to the Government :

During 1944 and 1945 the number of Administrative Officers of Classes II and III who left the service of the Nigerian Government before reaching the normal retiring age was as follows:—

On Resignation—	Class II	...	...	...	Nil
	Class III	...	...	...	Nil
On Transfer	—Class II	...	...	...	Nil
	Class III	...	...	...	Three.

Two transfers were on promotion and one to specialized duty.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

106. To ask the Honourable the Chief Secretary to the Government:—

In view of the severe shortage of lorry tyres in the country at present, does Government not consider it necessary to permit the running of commercial lorries during the hours of darkness, in view of the fact that the weather is then cool and, consequently, tyres keep longer than during day time when the weather is hot?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir. Control of Motor transport cannot be effectively carried out during the hours of darkness, and ineffective control encourages drivers to permit the overloading of their lorries which is considerably more harmful to tyres than running in the heat of the day.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

110. To ask the Honourable the Director of Medical Services :-

(a) Whether he is aware of an outbreak recently of small-pox in the town of Iperu in the Ijebu-Remo Division of the Ijebu Province?

(b) If so, what measures have been taken by Government to check it and with what results?

(c) Can an idea be given of the extent to which the outbreak has increased the death rate in that town?

(d) When last was vaccination of people, particularly of children carried out in Ijebu-Remo?

(e) If a resident Government Vaccinator has not been provided for Ijebu-Remo, will Government consider the advisability of putting one there now?

Answer—

The Hon. the Director of Medical Services :

(a) No epidemic outbreak of Smallpox is known to have occurred in Iperu recently but there have been ten sporadic cases reported during the past two months.

(b) No special measures were indicated.

(c) Only one death from the disease in question has been recorded.

(d) and (e) A report from the Medical Officer of Health of the area is awaited.

BILLS**(Second Readings)****THE 1946-47 APPROPRIATION ORDINANCE, 1946****The Member for the Colony Division (The Rev. and Hon. T. A. J. Ogunbiyi, O.B.E.) :**

Your Excellency, since I became a member of this Council in 1941 this is the first time that I rise to support the Appropriation Bill whole-heartedly. The recent visits of the unofficial members to some Government Departments and round Lagos were enjoyed by all and we were very grateful to Government for giving us that opportunity. I was surprised about a week or two ago to hear a reporter of one of our Daily papers telling a fellow passenger how that going round sightseeing was a great eye-opener to him, and others, I mean reporters, who went with us. He particularly mentioned the Lands and Survey Department, that although they saw the building as they went past it now and again it was never known that such a wonderful work was going on within these premises. He particularly referred to the section where of course we were very much surprised, and well edified to see that map was actually being printed. That was the first time I saw it too and as he remarked, I mean the reporter, Government is spending our money very well indeed.

Last year I made two educational tours, one at my own expense to the Eastern Provinces—On my return I sent a report in of that tour, and the second one to the Northern Provinces, was a personal visit at the expense of Government, for which I am very thankful, and a report of that visit may be somewhere in the Government House waste paper basket as I know the Governor was busy when it was sent and could have no time to read it. However, I am very thankful indeed that I was given that opportunity of going to the North. After seeing all that I saw I came back with sentiments of gratitude to all the officials I met there and the way they opened the gates of the different departments in the North, Jos, Zaria, Kaduna, Kano and one or two other places ajar before me. I was very impressed indeed. Not only that I was surprised to see the highly placed officials—how they were more in common with the people in the North. I saw over and over again the esteem which these people had for each other, when for instance I got to Zaria the Resident I met there was my interpreter in an African language. He spoke it so fluently and made everything clear to me, and at Kano too, the highly placed official on your right, Sir, was my interpreter. He was then Resident of Kano, and all the people were quite at home with him. They spoke freely and he allowed me to say anything I wanted. I never expected that because I thought from what I read or had heard from other people that the officials of the North do not like us to have contact with these people, but I was given a free hand to say all I wanted to say. Well, I came back with my view revised and changed, and I was very sorry that they have in the South been writing and reading lots of things that should not have been written about the treatment of the Africans in the North.

Sir, I met some of our boys there, one or two of them are my relations, I have not seen them for a long time and I asked them when they are coming home again. They said "we are not coming to Lagos again, they will treat us badly. We have settled here, built our houses, and both the Hausa and the Government officials are very kind and civil to us. The life we have taken is better than the life in Lagos." I was surprised with that, agreeably in one respect, but grieved in another. That those relations of mine are going to be lost to me because they say they are not coming back. Sir, I went also to the mines at Jos, I missed my colleague Lt.-Col. Boyes when I went there and I thought perhaps it was a good thing I did because if he had been there I might have seen things through his eyes. The Resident I met there did not allow me to see through European eyes the things I saw. He gave me an African guide and told him I was to see whatever I wanted to see. Your Excellency I was very much impressed with all I saw in the mines but I did not see African miners competing with Europeans there. Perhaps they could not afford the amount of money which would be needed to be spent on machinery, etc., also it is a big affair, and I do not think any African had that amount of money. I took particular interest in the Africans working with these business people. I met the miners at one particular place and I met a Chief Clerk and others and I talked to them, and they told me they had been there 25 years working with miners. We went to look at the quarters given to them, and we saw them very comfortable and the chief clerk told me that he would prefer to go on with the miners. He was quite satisfied, he has forgotten his home and was quite satisfied with the

way he was being treated there. Similar remarks were made by all the employees, so that what we have been reading and hearing about the treatment being given to them, are not so at all. Well as I have said my report is already in the possession of Government and as I went at the expense of Government I would like Government to make any use of it they like. I like my people to know what I saw—we should be careful what we write and say to the public about conditions in the North. Well I saw the amount of money that was being spent, and I was very pleased indeed. I do not know if it is the Financial Secretary, I should congratulate for granting all the amount of money being spent for all those things I saw there.

I should like to make particular mention of Vom, because there for the first time I saw a lady butcher killing pigs and converting them into hams and bacon and other delicious things. She was very smart working 14 hours a day making sausages, well she did it like machinery working with her own hands. I was surprised that such a lady could be doing such work. I should like our girls here in the South to be sent up to learn under that lady how to transform pigs to so many dainties. People like sausages, and ham and bacon, indeed Sir, I recommended in my report that all African pigs should be killed or done away with and let us have the pigs you are rearing up there, then we shall have healthy food. I understand there are so many pigs up there they do not know what to do with them sometimes. At Christmas someone wanted to send us forty pigs—I got the sty ready but unfortunately they were not sent. The reason was they said in the North they are going to sell to Firms recognised by Government. In fact I was ready to have one for Christmas myself, and I was disappointed. Now, Sir, after seeing all those things I could not come here and say that you are asking for too much money to be spent. I am proposing in the course of the year to visit the Cameroons, Calabar and those parts to know them. I hope I shall find there the same courtesy accorded me in the Northern Provinces.

There is one thing that made me very sad indeed, and I put it down in my report, and that was the sight of prisoners chained to their beds in Hospitals. I felt it was unlike the English principles and perhaps it was being done to please the Native rulers up there. Here in Lagos we know that prisoners are being treated in Hospital but not chained to their beds. They have warders sitting by them day and night, and it should be done up there, and that is the only thing I should like to see removed, and as the Chief Commissioner of one of the places is here I hope he will be able to explain to us and give us assurance that this shall be done away with.

Sometime ago the Public Relations Officer sent me a letter asking me to write an essay on this subject: "my work as a member of Legislative Council." The letter came at a time when my house had collapsed, and when Government wanted my place in the whole area for air fields. I was brooding over those things when the letter came and I was not in a composing mood. However as I did not want to get another letter from the Public Relations Office, to set myself free I sat up one night and wrote what I could and to my surprise about a month or two after they sent me two guineas as a prize for the essay. What I wanted to say was this, I made it clear to the Public Relations Officer that I believe as a member of this Council I should interpret

my people to Government, and Government to my people ; to let Government know the minds and wishes of my people and let the people know as far as I can tell them the wishes of Government.

Sometime last month we had a conference of Native Authorities of the Colony at Glover Hall and there I was made chairman. My people desired me, those who attended, although they had asked the Commissioner of the Colony to do so, yet they insisted that when I had an opportunity in Council I should in person express their gratitude to Your Excellency for the message you sent them. They were so pleased with the message that they asked for a copy of it and if possible a photograph of Your Excellency printed and sent to them to take back home to show the first Governor who had sent a message to the Native Authorities Conference in Lagos. It was an incentive and I sympathise with them. It has not been forthcoming up to now, and I am asking you Sir to see that the Commissioner of the Colony should see to it that it should be sent round if possible this week to all the different places where these peoples came from. Another thing they wanted me to stress to the Government, is "Adult Education." It is an urgent demand. I thought they were referring to the teaching of Chiefs and grown up people, and then in reply to my question they said "No" what they meant by adult education was this ; there are many boys and girls turned out of school as they are no longer of school age. They wanted classes formed for them to finish their education. They all know the value of education now. It will be remembered that I said this some time ago in this Council, and I must say it once again, that the Education Department is not fair to us Africans.

We do not like the way it is treating us. They are judging us from the standard of you English people. That should not be the case. They forget that you are trained and brought up in a different way from us. It was in 1912 when I went to England that I came back with this impression, after seeing your cradle, nursery, and the training your children are getting there, reading, writing and the like, and comparing it with our own. You see us—you enter our houses ; there are no cradles, no nursery. We have only just begun to have them. Well, Sir, I say you come from homes—real homes. We out here are born and bred in houses and compounds ; there is a lot of difference between homes and houses because out in the street we hear things we should not hear, we see sights we should not see, and nobody to check us. You have your children round you in the nursery. They took me to one place in Ireland where I saw mothers taking their children to nurseries while they went to work for a whole day before returning to reclaim them, and I saw it in England too. Now when you come here with all your advantages and then judge us by your own standard, I think it is unfair to us. You must be patient. In 1897 when I went to Akure as a pioneer Missionary, the people did not know anything about education. They did not care for it. They did not believe that their children could be taught to read and write. I proved it to them by sending a written message to my boy from their King's house through runners chosen by them, they were amazed when the boy gave them what I sent for. This was a success and the effect was they gave me twenty children to teach. Sent them to my

place. I had to board and lodge them and my salary then was £3 a month. I did what I could and deprived myself of many comforts. Some were fifteen years old and some ten. I think the youngest would be about seven or so. One of these children is now the principal of a school. Some of them were Government servants, and others dead. You told us today that certain children are beyond school age, we want Government to reconsider it, from this standpoint and I am voicing the sentiments of my people when I say we want adult education, and I am sure Your Excellency will support me, because on page 55 of your Address you speak of mass education as follows :—

“ Finally, I would say that Mass Education, although from the very nature of the case it be rough and rude, is a necessary, if unofficial part of the Development Plan.”

In 1896, when I was in Sierra Leone, I was seconded to take the place of a pastor at Wilberforce. I went to a village called Adonkia and when I got there I found them busy at school. I saw only one teacher with so many children and they were saying, “ One, two, three, four ” and so on. When a boy came to the last figures he could not pronounce them ; the teacher whacked his head with a whip and told him to say “ Ah set trap.” I was grieved at the punishment being given the boy for wrong teaching. I invited the teacher out and disclosed my identity to him as one in charge of the parish he was under, and corrected him that the proper pronunciation of what he was flogging the children for was “ et cetera,” “ &c ”, and not “ ah set trap.” Sir, years after I was surprised when a gentleman stopped me and asked whether I recognised him. I told him I did not think I had met him before and he told me that years ago when I went to such and such a place where a teacher was flogging him, he was the boy. That boy became a graduate of Durham University and from that beginning. Well, that is how our people begin to learn. In due course, things will set themselves right. That is why I say “ Give us rough and rude education and if you are prepared to do it let it be started with the Development Scheme.”

Again, Your Excellency, in your Address, you told us that next year the new constitution, known as the Richards Constitution will begin to operate and as regards that Constitution I am all in favour of it and looking forward to its being started as an experiment, and although one of my colleagues forestalled me yesterday, I hope the Session of Legislative Council under that constitution is not going to take place in this hall. We feel the inconvenience of this building very badly. Then again, Sir, I hope that when you give us a new building that the walls will not be decorated with photographs of Governors. It may be a good thing for officials who may become Governors, but it means nothing to us. Photographs of Governors should be in Government House not here. I went to Government House and I looked at the walls, but I did not see photographs of any Governors there. That is the place where they should be put. We want photographs of men in parliament, the Secretary of State and people whom we should emulate in speaking. When I went to the North I went to the Residency and was taken into the inner recesses of the house by Lady Patterson where I saw wonderful sights and beautiful scenery. Later, Sir John Patterson showed

me round his office where I saw photographs of Lord Lugard and different Chief Commissioners, and I was told that they were an inspiration when working in the room. But photographs of Governors do not inspire us in Legislative Council. We would like a photograph of the Secretaries of State who visited our shores for the first time, I have never seen Secretaries of State in Lagos or Nigeria before. When Mr Hall came after the former one he impressed me more than he and you will pardon me if I say the reason why he impressed me more was because we had time with him at a round table talk and he gave us a social time. He impressed facts on me and I still feel the pressure of his hand on my shoulder when he was telling me how he began in life; how he became an orphan at the age of eight and at the age of twelve he had to leave school and he went down to the pit and worked there for twenty years. With his earnings in the pit he bought a house where he is living now. That man, that gentleman so impressed me with his brilliance that in the presence of the Second Lagos Member, I asked him for his permission to let our people know how he started life. He said "Broadcast it." I have sent a letter through someone and I hope to send through Government to ask for a brief account of his life. I want to publish it in Yoruba for my people. I asked him for his photograph. He said we should all have our photograph taken together. I do not know the results of the photographs now. I wonder if Your Excellency has seen it. I have not seen it. The photograph of such a gentleman—a self-made man—would be an inspiration to our boys. The Coat of Arms behind you, Sir. I hope it is not going to the new hall. It is time it was changed. We want to see it bright and shining behind you and then it would be a very good background and we will be able to see your face properly. I know you people like such old things but put it on one side and put a new one there in the new hall for the new Council. Your Excellency, we thank you very much indeed for the constitution and I wish it very well indeed. As I said we will see how the experiment works out. I know with you to see it through it is bound to be beneficial to Nigeria.

Your Excellency, in your speech—your Address—you commended the Commissioner of Police very highly and we all associated ourselves with every word you expressed, particularly that part where you give us the hope that the money or wages of the Police will soon be improved. Already the news is abroad and the men are encouraged in carrying out their work. I hope that the Commissioner of Police will see to it that those who are placed in the out-stations are doing their work in the interest of the public and for their protection. Now at Ikeja there are many returned soldiers. We are thankful that they are not as troublesome as we expected. They seem to be under check but I am sorry to say that last Christmas in that part I was rudely awakened from my sleep by a shout for help but I was afraid myself to go out because I knew something was going on and so I dared not get out to see. Well, I thought it was one or two men who were drunk outside my premises. On Christmas morning the first thing I saw when I went out was a pool of blood. Blood on Christmas morning—I did not expect it. What omen is this I thought. I tried to find out from the Police what it was and they said some men stabbed one or two men just between

two and four o'clock in the morning and they took them to hospital but whether they are dead or living I did not know. They will not live from what I saw of that blood. "Did you arrest the culprits?" I asked. "They had gone away before we could get there" I was told. They had gone away and it was only about a quarter of a mile to the Police Station. I say this to stress my point that the Police in the out-stations should be supplied with motor cycles. Particularly, the Inspector of Police we have now is very keen on his work but how can he get to the spot? If he had had a motor cycle he could have overtaken the culprits and arrested them. I am asking through you, Sir, that the Commissioner of Police should send one or two motor cycles to Ikeja. I hear that the Police Training Depot is about to be brought to Ikeja. Well we are very glad of that, Sir, but I do hope that when they come for their training they will be used to protect us also and that it will be part of their training to patrol our streets or our villages at night. A good many burglaries are going on. One night a man went to his friend and before he returned home he found his house burgled and then while he was talking he went to a friend and he heard a shout and the burglars had gone into the house of that friend, got hold of him and tied him up and then placed him in the bushes. They burgled his house. This was very near the house of our District Officer. Little wonder that the new District Officer put his things in a strong-room before he went away on tour. It is not safe, Sir. Let us be protected. My people want me to say today that we would rather you spend our money to protect us at night than give us other amenities. I hope the Commissioner of Police will take note of this and help us.

I have an accusation to make against the Agricultural Department. As someone has said the well-being and welfare of the whole of Nigeria depends on that Department. Well that Department has let us down very badly and suddenly during war time. If the Department had given farmers the Education needed Government would not attempt to save the situation by controlling our food. It was very unpleasant and uncomfortable for us all. If the Agricultural Department has done its duty there should be no failure of food. There should have been cultivation of larger area of land. We have land from here to the end of the province—no-man's-land. Instead of growing citrus fruits—grapefruit, etc., which are only relished by English people and not by us, the Agricultural Department should have encouraged us to grow staple foods and then there would have been no need for control. I helped the Agricultural Department to preach the gospel of growing pineapples, oranges and palm oil to send to England. We cultivated and within two years we exported pineapple—and with what result? They said we had to send some money to the people in England because they were very cheap and there was no profit. That discouraged us and we gave that up. Then we took up oranges and the Agricultural Officer came to help. I expected to get something like £5 at least. I think I got only 15s for what I shipped. Well, it discouraged me. What is the use—I could get more than that from my people because they are very fond of oranges. We started palm oil with a hand press. Well, we used the hand press. A good many people went to John Holts and bought it but they were discouraged

because there was no premium and took to the cheaper way. That is how the Agricultural Department has let us down, Sir. Let them help us to grow our staple foods. I know that they have a place in Ibadan where they are demonstrating these things, but it does us no good generally. I almost got myself into trouble with Government yesterday because I was going to talk about rubber. When I reached home last night I found in the papers that Government had contradicted what the daily paper had said. I would have been misleading the public according to Government; but on the 7th March, as I was going to a valedictory function for Mr Lee, our District Officer, who was going to Ondo I saw an officer of the Agricultural Department well-known to me who stopped me and said that he was sent down to me by the Agricultural Department to say that rubber was no longer wanted—wild and low grade rubber only grade A will be bought. I had to send to my farm to tell them to stop tapping rubber. You tell us to grow rubber and then you say that it is not wanted—it is tantalizing. When I saw the paper being corrected about it, I felt that something must be wrong in the Agricultural Department. I can produce the man who came to tell me that and so Sir, when they publish these things sometimes it is not the paper that is misleading, it is the Department.

Sir, I would like to say something about our hospitals. It will be remembered that I asked that visitors should be appointed to visit the hospital. Last Monday we were invited to a visiting committee. I did not attend, but I had the permission of the Director of Medical Services to be absent on account of this Session. I am very glad to say that when I visited there on New Year's Eve to see what was being done, I found that the people were happy with their food because women were preparing it instead of men, but the fruit that was being supplied to them, due to the drought, was not wholesome and a good many of the patients did not touch it. I say it is a waste of money. If a contractor cannot supply the proper thing let well alone and leave the people without fruit. In their homes they do not live on fruit; give them rice. When we get the proper thing, supply them. Of course, we cannot say that people are comfortable in hospital because they go there to groan with pain, but I can say that some of them were happier than when we went before. I heard some complaints and perhaps I had better see the Director of Medical Services about them another time.

Now I come to the Public Works Department. I am very glad to see that the Electricity Department has been taken from the Public Works Department. I am sure it will be a great relief to the Director of Public Works, and I would suggest that the Waterworks be taken away from that Department and let him have his mind and thoughts concentrated on buildings alone and road-making. There are a good many buildings that we passed estimates for some time ago which are not yet built, such as the Maternity Home which we are hoping for at Agege, offices for the Administrator-General and several other buildings waiting to be constructed. I think that the Director of Public Works should concentrate all his attention on buildings and road-making. I know he is very hard-working and I should not like it to be said that he was hampered by shortage of staff when

a good many people are unemployed, and therefore I am pleading with Your Excellency, to see to it that his attention is concentrated to one work.

Well, again, Sir, you told us—I forget the page—I am going to suggest by the way that when you finish your Address that you let us have an index to it so that we can refer to what we want at once.

I am going to talk about chemistry now. You told us that the chemists found out that the whisky that was being provided to the public was of an inferior quality. This is almost as bad as illicit gin and you blame us for having illicit gin. What is Government going to do about it? Are the suppliers simply sending us inferior whisky for trading purposes? I hope, Sir, that you will help us out of this difficulty and let us get proper whisky.

Sir, some time ago people agitated for the holding up of cocoa. Well, I was very much perturbed when I read the papers and heard about meetings in the Glover Hall about what was going to be the fate of our people who were being asked to hold up their cocoa. I wanted to know the result. Only a few days ago I went past the Residency at Ibadan and through a village behind the Residency and I was surprised, Sir, to see in several streets cocoa dumped there for sun-drying already bought from the people and I happened to see the Inspector of Produce and I said that I thought these people were holding their cocoa up. He said that the people would not listen. How are they to eat? He told me that in that village they had sold £100,000 worth of cocoa and the people were very happy to get the money. I am saying this not only for the information of Government but for the information of my people down here who are reckoning without their host. The people up there could see I was surprised and I spoke to some of them and they said: "If we hold up our cocoa, will the people in Lagos clothe and feed us?" That was the reply I got. "We are satisfied with what they are giving us now; bye and bye they will give us more." I hope that the people who are agitating for these things will be careful what they write or say. These people do not read the papers at all—they are illiterate.

Your Excellency, I commended you at the last Session for appointing a new Attorney-General to succeed the one who left us recently, because you are giving us continuity of policy, and the same thing may be said in the case of the Post Office and of the Public Works Department. Things are going on very smoothly and nicely. Well, I am humbly suggesting and commending to you for consideration that the same policy should be carried out with regard to our Customs. Our Customs are what we rely on for money to help us. If a new man is brought, there might be a loss of revenue. Someone invited attention to the Customs buildings. They are unsuitable and I also would ask Your Excellency that something should be done to improve them. I do not know if the Collector of Customs is responsible for the buildings. Perhaps he should have directed his observations to the Director of Public Works because he is responsible to Government for all buildings. The Chief Secretary should see that they have good buildings at the Customs. We are not satisfied with those iron sheds. They are too hot during the day time and at night too cold. I do hope that something

will be done. Pilfering is still going on in this Department but I understand that this is the look-out of the Police. I hope the Commissioner of Police is looking into this.

Your Excellency, I whole-heartedly support the Appropriation Bill.

The Mining Member (Lt.-Col. the Hon. H. H. W. Boyes, M.C.) :

Your Excellency, I associate myself with other Honourable Members to thank you for your address which was found very full of interest. With regard to the delivery of the Address to some Unofficial Members at least so far as I am concerned, and perhaps others feel as I do, I feel the Government Printer should be given sufficient notice of when we intend to leave our homes when they are far away, such as Jos and some of the Eastern Provinces informing him of the latest date of posting in Lagos to reach us in the Provinces. In connection with the Post I sympathise with certain Honourable Members who spoke yesterday. Jos is only some four to five hours by plane from Lagos and there is an air mail service to Jos and Your Excellency, I am prepared to believe that mails do go part of the way by air, but I know from experience that it is more expeditious to send my own mail the old-fashioned way by the railway train. However, I have contacted the Postmaster-General on this matter, and I feel he will do what he can to alter that so far as that part of the country is concerned.

With regard to the budget Sir, one is naturally impressed with the figures and the estimates for revenue and expenditure which constitute a record for Nigeria. On page 3 of your Address, Sir, you gave the figures in what you might say is a nutshell. They are really impressive especially when one has seen the different estimates made in this country over a number of years past. With regard to the Development Plan large sums of money are available but we ought to appreciate that money has not got the purchasing power it used to have. One can appreciate that there are quite difficult times ahead—one of the main difficulties being the lack of supply of suitable men and materials. Your Excellency, I am quite sure that money does make life easier both for Government and individuals if it is not all taken away from us and we welcome the strong financial position that the Government is in, but money is not everything. I feel just now what Nigeria requires most is the human help of its own people, goodwill good feeling, willingness and zeal to work and a strong determination to be useful citizens and absence of dissension. The extent of success or failure of the full-scale execution of the approved plan for Development to which you refer, Sir, and of the provisions in the budget estimates, lies very largely with the youth of Nigeria. It is a work-for-all plan, for anyhow those who are willing to work so let everyone take off their coats and get down to it so that they can qualify for the junior posts, and then the senior posts which will be available in the institutions and industries and the further development of their own country.

Your Excellency, I must say a word about the Colliery. When I was studying the budget estimates before I received your Address I felt that a major operation was essential in the Colliery in order to reduce the working costs to an economic level. However, on receipt of your Address, Sir, I find that that is provided for and I am very glad to see that the Development

Plan for complete mechanisation has been approved. I quite appreciate that during the war it was not possible to get the necessary machinery, but now that that should be possible I hope that an improved state of affairs will be pushed on. I would like to say that it should be possible that the price of coal at the pit head should be 8s or 8s 6d per ton instead of the uneconomic level of 11s 6d. We know the Railway is the largest client of the Colliery and it has to bear the burden but that is passed on to the public.

Your Excellency, I would like to say a few words about the badly misunderstood profession called mining. A few weeks ago I read a leading article in a Lagos paper about the mineral resources of Nigeria, and how "the Minerals Ordinance has placed the poor African in a disadvantageous position," "but there are hardly six African miners in this country," and "only one sensible African in the mining industry." Your Excellency I would like people who write such articles, and the African in general to appreciate that mining is a profession just as much as medicine and law, and it takes at least five years of really hard study and practical experience for a man to qualify as a miner. Now, by a qualified miner I mean a man who is qualified and responsible to carry out the mining laws of the country, mineral safety regulations and to be entrusted with the lives of men, because mining by the very nature of its work is what is called a dangerous occupation, and after the protection of the lives of men the most important point is the maximum extraction or recovery of the particular mineral out of that part of the ground or deposit instead of leaving wasteful low grade material behind. The purchase of a Prospecting Right, or becoming the owner of a piece of mineral bearing land does not qualify a man to call himself a miner. An unqualified miner, African or European, when he becomes the lessee of a mining area proceeds very much like this. He collects a number of tributors by offering them a certain sum of money, usually at rather a higher rate than normally paid for a cigarette tin of ore, or an ounce of gold. These tributors bear down on the area like a lot of vultures and the result is that the area is high graded—or to use a more practical expression—only the richest spots are worked and leave a large amount of low grade ground which it will never be economical to work again, so that a large part of the valuable assets of Nigeria—the mineral resources of Nigeria—are left in the ground for ever. Now that is very wasteful. There are certain places such as narrow and rocky creeks and isolated pockets that are suitable for working by tributors and a legitimate output may be obtained from them but in the past history of the mining of Nigeria a great deal of ground which should have been systematically worked has been completely ruined, and as I say quite a large part of a valuable asset of Nigeria has been left in the ground. Your Excellency, it is hoped that a number of mining subjects will form part of the Ten Year Development Plan of Technical Education. In Select Committee I received the assurance of the Honourable the Development Secretary that that is so. I hope that Africans desirous of becoming miners will take every advantage of those courses and so qualify themselves to be miners. I read with interest Sir, in your Address that there is one African going to England to train as a Mining Engineer, and I hope that there will be others to follow. I wish the young man every success and I

hope he will find his training most interesting, as I think if he is bent that way he is bound to do. At the same time, Sir, I feel it is essential that sufficient technical education should be available in this country, so that they do not have to go all the way to England because they can get the practical experience here. As I have mentioned in this House before, Sir, I am perfectly willing to take young men during the long vacations on our mines, but we cannot give them the technical education—that is the work of the Education Department. Your Excellency, in this connection I hope those in control will be able to make suitable arrangements for that.

The Commercial Member for Lagos (The Hon. F. G. Frost) :

Your Excellency, we have heard from the Honourable Financial Secretary a most able exposition of the financial position of Nigeria, and it is most gratifying to find that our finances are in such a healthy state. In the unsettled state of world affairs, and local affairs, the estimates of revenue and expenditure are somewhat tentative, but the indications are that we can look forward to a balanced budget during the next financial year. The reserves are satisfactory and though they will have to be borrowed from to meet Development in the near future, I have no quarrel with that particular arrangement. I was very pleased to hear the Financial Secretary quote so many “back figures” and say “that we must learn for the future from the past.”

We who have lived in Nigeria for some years know how fluctuating the prosperity of the country is. We either seem to be living in the midst of a boom or else a slump, and the slumps seem to last much longer than the booms. Usually when a slump arrives there is little money in reserve, revenue falls, there is poverty among the people, and it is difficult to find any new fields for taxation.

We then blame the Government for “squandermania” in the past. This time I think we have been warned in advance. We want development—we have all approved of a financially sound, and generally sound development plan which we all want carried through as quickly as possible, and we trust we shall be able to carry it through, but I hope there will be no waste or extravagance in the name of development.

Your Excellency and several Honourable Members here have said some very nice things about the Police Force and I fully endorse all that they have said. There is however one direction in which our property needs better protection, and I refer to the large amount of stealing and pilfering which goes on in the Lagos Customs Sheds, the custom sheds of all ports, and on the Nigerian Railway. These thefts and pilferages are becoming so prevalent and so large that they involve the whole commercial community in a very substantial loss. I realise this state of affairs is not confined to Nigeria, nor is it easy to put an end to, but there is a growing feeling that something should be done. I do not know whether it is a matter for the Nigeria Police or the Customs and Railway administrations, but it is a growing evil and one which should receive immediate and energetic attention.

Posts and Telegraphs.—Several members have drawn attention to the alleged shortcomings of this Department, and I know of this from my own experience. I realise, however, that the Posts and Telegraphs Department

is up against very serious difficulties. I hope they will be able to overcome them in the near future.

Town Planning.—There seems to be too much secrecy about the activities of the Town Planning Department so far as Lagos is concerned, and secrecy gives rise to rumours. If the public knew more, they would understand, and probably, appreciate the intentions of the Government. I think this is where the Public Relations Department might distinguish itself. I suggest that simple artists plans showing the new proposed lay-out of Lagos should be on exhibition, and that in some suitable place models of the new Lagos might be on view. These drawings and models should show not only the new Government buildings, new streets, open spaces and so on, but they should also show and give a good idea of the new areas which we hope will be available for displaced persons. We all look forward to the day when Lagos will be a worthy capital of Nigeria, and trust that this will not be long delayed. I hope one of the first signs of it will be the clearing up of our own front door step, and that there will be an end of the infamous Marina stench.

With these few remarks I beg to support the Appropriation Bill.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

Your Excellency, your Address last Monday conveyed the suggestion that this might be the last Budget Session of this Legislative Council under the present Constitution, and it may be taken that this has been one of the reasons why Your Excellency has given so comprehensive a review of the activities of the Government during the period which you have aptly described as the close of an epoch and the opening of a new one. In spite of its many shortcomings, Sir, this Council, I believe has served the country well and we do look forward to the inauguration of the reformed Council under the new Constitution, and hope that this country will be carried far further on the road to progress and general well-being of its people in the future.

As a business man, Sir, I should like to express how gratefully the Motor Transport Interests and the public generally welcome the announcement of the reduction of the duty on motor spirit. There is no doubt that the lowering of the running cost of transport will redound to the benefit of the industry as a whole and bring very much desired relief to the large number of people who use motor transport. It is hoped that this is a sign that Government will consider at a very early date the removal, to certain extent, of the control which still hampers the industry.

It is natural, Sir, that the decision as pronounced by Your Excellency on the proposed increase of Income Tax both on Companies and individuals should cause uneasiness in the mind of the public, but as Your Excellency is referring the Bill to select committee, Unofficial Members will no doubt have full opportunity of examining every aspect of the matter.

Ten-Year-Development plan figures as might be expected prominently in the Address. The subject has already been fully debated, and it is gratifying to read the remarks in the Address that in the coming year "Development passes definitely from its preliminary and preparatory phase into the phase of full-scale execution of an approved plan." In this connection, I should like to make reference to road development and specifically to the Lagos-Ikorodu

and Ijebu-Ode-Benin roads which are of great importance to the area which I represent. Nothing would give us greater satisfaction than that the construction of these roads should be given the highest priority.

In page 11 of Your Excellency's written address, brief remark on question of cocoa was made. Speaking as a dealer of long experience in this commodity, there has been general dissatisfaction with recent prices of cocoa. This has led to neglect of farms and to the lack of enthusiasm in caring for the trees and to prevent disease, although a slight increase was granted in the price at the beginning of this season, I can assure Your Excellency that if sufficient increase was allowed, the estimated figure of 100,000 tons would be got. I earnestly appeal to the Government to pay more for our cocoa so that the farmers may be able to produce more. Speaking about our produce, Sir, I should like to say something about our Rubber and Palm kernels. Before the outbreak of the war, we were paid little or nothing for our rubber and palm kernels. At a certain time, at the early age of the war, we were even told that our palm kernels was no more wanted. I happened to be one of the members of a delegation that waited on His Excellency at the time, after some hours' talk, we got out from the Government House with the reply of no. Some months after, we were told again that palm kernels and palm oil were urgently wanted and that we should plant more rubber and more palm trees. I am not quarrelling about this last request, but what I am after is that our people are asked to plant more rubber and more palm trees, I do not want Government to come at a short time to say that our rubber is no more wanted or decide to pay us such a price as would not compensate us for our labour. As regards gold mining, Sir, there was great fear when Order No. 22 of 1946 repealing Order No. 17 of 1943 and further prohibiting prospection of gold in many other areas in Nigeria was circulated, whether the Order did not indicate that Government was out to discourage or kill all enterprise in Gold Mining. Your Excellency's speech on this subject has at last dispelled all anxieties in this connection. It would appear that Government is now prepared to give full rein to gold mining enterprise, and the only drawback appears to be lack of staff. It is hoped that when the handicap of staff has been overcome full facilities will be afforded to those capable of doing so to enter the field and exploit this item of the country's mineral resources for the benefit of all. At this stage, Sir, I should like to join in paying tribute to the Police Force for the good work which they did in Ife-Ilesha gold mining areas. When Gold Miners first started to work in Ife-Ilesha areas at about 1941, the position was so bad that there was no Miner who could claim to be getting 50 per cent of the actual gold won in his area. Since Government has sent detachment of Police to the areas to protect the Miners from being robbed of gold won in their areas, there has been a very great change. Before I pass away from this Department, Sir, I should like to pay special tribute to the Mines Department, particularly for the way that Miners were handled and treated since the last few years. When mining business first started in Ife-Ilesha areas, African Miners held the views that Inspectors of Mines were only out to harass and where possible to arrest them as there was no sign of co-operation, but since the last few years,

the attitude has been so educative that Gold Miners do appreciate the advice they receive from Inspectors of Mines more than the gold they actually win.

Your Excellency has told this House of the vital part that the Survey Department has to play in the Development programme. It is regrettable that staff difficulties exist in this as in other Departments. The matter of the proper protection of title to land both of communities and individuals is to the African a question of life and death. At present, the existing arrangements of the Department do not provide adequately for such protection, and I have been specially requested to raise the matter in this House. Up to about 1929, surveys done by practising licensed Surveyors were never used to be checked nor charted. There was a great dissatisfaction and bitter complaint by the general public that their interest was not in any way protected as six persons could survey one area of land if they wished to since there was no means by which it could be known by the Government whether the surveys were overlapping each other or not. About the year 1930, the Surveyor-General, Mr J. Calder Wood felt the necessity for protecting the interest of the public, and introduced the system of checking. This procedure was continued by his successor Captain Norman and also by Captain Norman's successor. About three months ago, practising licensed Surveyors were advised that their plans would no more be checked unless they survey an area which has common boundary with Government land or that the survey is situated in Crown land. The clients of licensed Surveyors feel that their interests are in no way protected and complained bitterly that they see no reason why a method which was said to be bad seventeen years ago and changed should now be resorted to. I am urging, Sir, that Your Excellency should treat the matter as of the utmost urgency, and that something should be done about it at the earliest date. While appreciating the problem of staff shortage, I cannot see, in spite of the claims for Development programme, why what had been practised without apparent difficulty during the high pressure period of the war years should now prove beyond the resources of the Department.

Posts and Telegraphs.—This Department seldom escapes the attention of members on this side of the House in an occasion like this. I have myself called on the Postmaster-General a few weeks ago, and discussed with him some of the immediate pressing needs of Ijebu Ode town and its district and also Shagamu town in Ijebu Remo as regards telegraph, telephone and postal facilities. The usual reply of course, is the lack of materials due to war condition. It must be apparent how great a drawback it is for a place like Shagamu to be without telegraph and telephone facilities while other places far less of economic and social importance do enjoy such facilities. I noticed that provision has been made for these facilities in the Development plan, but I wish it is not an ambitious plan on paper only, and that Government will see that the work is carried through as soon as possible.

I do not pretend to be an expert, but I am sure that those competent and qualified to express an opinion will agree with me that the route of both telegraph and telephone lines from Ijebu Ode to Lagos are very awkward. At present both our telephone and telegraph have to go from Ijebu Ode to Ibadan, Oshogbo and then Lagos while there is a shorter course by going

from Ijebu Ode to Ikorodu, Ikeja and Lagos. In the present system, there were times when we booked a call at Ijebu Ode for Lagos early in the morning and the reply from the exchange at about 12 o'clock would be the line is still engaged with other stations, and in many cases we have to resort to sending telegrams. Under the Development, Sir, I should like to see that our telegraph and telephone lines are changed from the present awkward route to that of Shagamu-Ikorodu-Lagos which will in no way be more than sixty miles.

I have to express that I share the same views with the previous speakers in paying tribute to the Director of Public Works for the good works which his Department has done during the year, but I should like to call his attention to a road connecting Ijebu-Igbo in Ijebu Province to Ibadan in Oyo Province. This road, during rain season used to be bad to such an extent that hardly any one would like to risk plying his lorry on it. Ijebu-Igbo is a big cocoa producing area, and I am sure that the Honourable the Director of Agriculture can bear me out that the amount of produce coming from the area is such that it is necessary that Government should take immediate step to see that the road is put in a proper usable condition.

Education.—I have nothing to add to what the previous speakers have said about this Department than to thank the Government for what it has been able, so far, to do about our education and to request that it be more generous in the way of granting more scholarships to our willing youths. If what the Government has done during the recent years had been done in the past, the standard of our education would not have been what it is today.

Much has been said by the previous speakers about the housing arrangement for our Civil Servants, but as a man whose area is particularly concerned, I would like to plead that Your Excellency be kind enough to see that our Civil Servants are provided with good houses to live in. The case of the members of Civil Servant Staff in Ijebu Ode is very appalling as these men have got to live in houses which many a times will not agree with their health as they have no money to hire or rent those which will befit their health, after all, the best time of those people's lives have got to be spent under the Government, and it is necessary that something is done to see that they have some sort of comfort. I was at Benin some time ago and saw many new quarters being built, on enquiry, I was told that they were for Government Officials (Africans). I should like to see such kinds of houses built in Ijebu Ode for our Civil Servants.

Before I resume my seat, Sir, I would like to plead that when conditions return to the normal enough for the Administrative Officers removed at the outbreak of war to be returned, priority may be given to Ijebu Province. Before the war, there was one Assistant District Officer in Shagamu, one or two at Ijebu Ode with one District Officer and one Resident. At present, work of the Resident has to be done by only Assistant District Officer and that of the District Officer by an Assistant District Officer or that of the District Officer by the Resident. In Ijebu Province, as small as she is, Administrative works appear to be more than those of some other bigger places.

As a provincial representative, I wish to take this opportunity to thank the Honourable the Chief Secretary to the Government by taking the lead to break the knot which was in the past considered as a very sacred thing which should not be done, by touring the Provinces. In the past, we people in the Provinces hardly could be convinced that any Chief Secretary to the Government was for the Government of Nigeria and not for Lagos Government only. I hardly can say when last I saw a Chief Secretary to the Government in the Provinces. Some months ago, I was going back from Lagos to Ibadan and I saw a car which I suspected must have been that of the Chief Secretary to the Government. I managed to overtake the car to be sure whether he was personally in it, after seeing that he was there, I said within myself that that was a good departure from the old custom for which the Provincial people will be thankful. I should like to see other Heads of Department travelling to the Provinces to see themselves how things are done there, and do not rely always only on paper informations, travelling to the Provinces will surely help their administrations.

With these few remarks, Sir, I beg to support the Appropriation Bill.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

I have listened with great pleasure to the exposition of the financial position this year, which, indeed, is a record for Nigeria. It shows indeed that we have entered into a new development age and it speaks nothing, but prosperity for Nigeria. I am particularly very grateful to the Honourable Development Secretary for his development plan ; and I hope he will be back in this country in very good time to start this scheme. I would now turn to page 12 of your address on the question of the relaxation in the production of palm oil and kernels. You mentioned that this decrease was probably due to the abnormal lateness of the rains resulting in a poor fruiting season rather than to a relaxation of effort on the part of the producer. Another contributory cause has been the severe shortage of food, particularly Gari which is the staple food of the people in the East. And as a result due to the very low prices paid for palm oil and the shortage of food people had to leave productions and turn to Gari in order to get adequate supplies of food and to kill blackmarketing. On page 14, Sir, the District Officer in Calabar had a scheme which he put forward to Government for municipal reform for Calabar, and he consulted not only the Tribal Unions and Societies with commercial interests, but also all leading societies interested. That was put forward to the Chief Commissioner and we were looking forward, with interest to the day when the scheme would be put into effect. Much to our surprise, however, we find that nothing has been done ; but a counter proposal now being submitted to Government by the present District Officer.

We don't want an Advisory Board. When members of the Township Advisory took the Local Authority to task, a year ago, for appointing a market master without consulting them, he replied that the Local Authority was the board and the constituted Board was only an advisory one.

Sir, I am very pleased to know that the Electrical Department has severed connection with the Public Works Department. I have always wondered why the two Departments were ever together. In the Development scheme

mention is made about an Hydro-Electric scheme from the Qua Falls and we would be pleased if the Development Secretary can make it possible to investigate as soon as possible as this would give us cheaper supply than we enjoy at present. Our present lighting system is a total failure. At Dinner time the lights go off and come again at bed time. Under the Development plan I would like to see various industries started; and now that a chief Marketing Officer has been appointed a market should be found for the raffia goods of Ikot-Ekpene. If Officials going through to Calabar would just drop in for a few minutes and look round the Raffia Works they will indeed be surprised at the ingenuity of the people, from toys to Carpets and as a matter of fact anything one may desire to send abroad. I would like to have a word with the Honourable the Comptroller of Customs and Excise, and that is in connection with the recent decision made in Calabar about the examination of Baggage in the open space outside the Customs house. This is a new departure; and both the Shipping Companies and the public are very much dissatisfied. During the past the Transit shed was always used for examination of passengers baggage. Recently the Collector of Customs sent instructions to the Calabar Chamber of Commerce to the effect that examinations would be conducted outside the open space in front of the Customs house. You can imagine during the wet season persons having to wait for the Customs Officer out in the open for their baggage to be examined. I shall be grateful if this matter will be looked into and something done; because it really means a lot of discomfort and annoyance to passengers. Another matter I would like to mention is that I notice that you made mention that smuggling is on the increase in the Calabar Province, and that as soon as conditions are suitable a craft will be sent down there to check it. There is one there already. The Director of Marine will agree with me that one craft is insufficient to tackle the job. There is no doubt that smuggling of Spanish Brandy has been on the increase but there is one solution and that is reducing the duty on spirits. Last year I asked a question as to the number of smuggled Brandy confiscated and I was told that 3,880 bottles and they were sold at £1 in Lagos per bottle and not in Calabar. I think a bottle of good brandy costs three dollars at Fernando Po and if the duty were reduced to say something round 5s per bottle instead of 10s 10d, it could be sold at a reasonable price of 12s 6d in Calabar, and this would bring in more revenue to the Government; but whether Government prefers to wait for the smugglers to bring in the Brandy and then confiscate and sell it, I do not know. However, Sir, something must be done and unless you have a fleet of very fast launches, it will not be so easy and I am sure the Honourable the Director of Marine agrees with me that one launch would do no good. The smugglers are desperately determined and would rather perish on the way to Fernando Po than give up smuggling.

Agricultural Department.—It is never my policy to attack Heads of Department. The Honourable Member for Egba Division yesterday complained bitterly that the farmers in his division were short of labourers, we are not sure of our labourers in the East, we are short of Agricultural implements and would like new and modern implements of labour like the plough, cultivators, etc., something to make our soil rich so as to be able to

get better crops. We hate to see the old fashion matchets. If the Agricultural Department would extend their activities to the East, the Director would be quite assured that a great deal of uncultivated land will be put at his disposal and not allowed to go to waste. Why not remove the Agricultural station at Umuahia further down to Ikot-Ekpene or Uyo being within easy access to the people of the Calabar Province.

One point, Sir, that has more or less surprised me, is your reference to the birth of a human "Leopard Society" in the Abak and Opobo Divisions in the Calabar Province. Last March I asked a question whether Government was aware of the existence of a Human Leopard Society in the Abak and Opobo Divisions and I was told "NO". I asked for the number of deaths, whether females or males, and if females, the number, and whether they were prospective brides, the causes of death, and if any medical autopsies were being held, I was told Post-mortem examinations were held and that the result of the examinations showed that these people had been preyed upon by wild beasts. It has now been revealed beyond all doubts that this menace does exist, and that peoples' lives are in jeopardy. Now that the matter has been got under control and several Police Officers are at the Police posts there, we trust, Sir, that Government will do all in its power to see that this menace is removed from Nigeria. Once more, for the third and, maybe, last time, I appeal to you for the removal of the Manilla currency from the Calabar Province. Last year I asked that Government should endeavour to control it; and I would now suggest that instead of receiving taxes in English currency, people should at least, be asked to pay their taxes in Manilla currency. This would solve the problem.

The Honourable Member for Calabar mentioned that a Lday Labour Officer had gone to Calabar with the view to establishing a Juvenile Welfare and after care Committee and we were promised the establishment of a Labour Exchange. Since then nothing has been done or heard. We would like to have a Labour Exchange Office in Calabar to serve the Calabar Province. I thank you very much indeed for the compliments paid to the Police Department. They really deserve all they can now get, increase of pay, new uniforms, etc. We must have a Police Force above bribery and corruption. I will very much like to ask the Honourable the Commissioner of Police whether it will not be possible, now that the war is over, to have a Police Band attached to each Province. We in the East, are lovers of Music and never enjoy good one until we come to Lagos. If this is not possible we would ask that the Lagos Police Band visit us occasionally to bring back and inspire good music to the delight of lovers of good music.

The Prisons.—In the Calabar Convict Prison, lunatics and ordinary prisoners and all sorts and conditions of men are put grouped together in one common Prison. I think they should be separated. I am informed that first offenders are also put together with habitual criminals and who thus come out worse than they went in. I think that separate provision should be made for lunatics, they should be given separate cells in a separate building.

The Public Works Department will have to play a very important part in the development plan of Nigeria. It suffers however from acute shortage of

staff, but I am pleased to learn that the Honourable the Director of Public Works has been successful in getting Inspectors of Works. I hope some of the proposed buildings in the country would be handed to African Contractors and not only to Foreign Contractors.

The Posts and Telegraphs.—I heartily endorse the remarks of the previous speakers that there is something radically wrong with this Department. The other day I sent a telegram from Lagos on a Monday morning at 8 a.m. to Ibadan and it was not delivered till the following day at 2.45 p.m.. A letter I posted at Calabar went all round Nigeria bearing several Post marks from the date of posting and it was eventually returned to me after twenty-one days.

A question was asked a few days ago by the Honourable the Member for the Cameroons Division as to whether the Government would now be disposed to lift the ban on the Watch Tower and Tract Society's books—people locally known as Jehovah's witnesses. Sir, this is not the time for Government to interfere with the religious worship of people, and we feel they should be allowed to serve God according to the dictates of their conscience. I have had a lot to do with members of this society in the East and I have been told by District Officers that they are law abiding people although considered religious fanatics by others. Since the ban has been lifted in other places, Canada, Australia, Jamaica, Trinidad and even in South Africa, I think the ban in Nigeria should be lifted. The war is over and it was necessary to confiscate these publications as a war measure because they were considered by you, Sir, printings of subversive propaganda. I trust you will be graciously pleased to listen to their cry and see they once more be allowed to print their books.

Council adjourned at 12.30 p.m.

Council resumed at 2.35 p.m.

The Member for the Warri Division (The Hon. J. Ogboru) :

Your Excellency, I think it is not necessary for me to repeat previous speakers statements, but I would like to refer back to my previous statement in 1944-45 with regard to the demand of the Warri people for a secondary school. I presume the speeches in Legislative Council cannot be regarded as of much value as nothing has been done yet in this connection, and now that the development plan is going to start I suggest that my demands for the Warri Province should be carried out.

I would also point out that the farmers or rubber producers in my area will suffer great hardship if it is decided not to purchase rubber. The rubber producers have wasted a lot of their money in putting up the plantations. I would like to suggest that the farmers or rubber producers should be given an opportunity of producing their rubber and not reject it for at least two years, so that they could get back the money they had already spent in making the plantations. That is all, I support the Appropriation Bill.

The Member for the Cameroons Division (The Hon. J. Manga Williams) :

Your Excellency, I am again very grateful to God for being permitted to participate in the business of this House in preparation for the estimates of the year 1946-47. I wish this House all success in its labour for the development and welfare of our country, and hope I shall be privileged to see the beginning of the new Constitution and its activities. I also agree with the views of the Secretary of State in his comment with regard to the new Constitution.

Last year, Honourable Gentlemen will agree with me that the Political atmosphere was dark and stormy and one can still notice the waves beating turbulently towards the shores.

Spectators had to blame and criticise the Captain and crew for being unworthy and were working hard to get them replaced by better seamen.

It is much easier to disqualify a Captain and his crew when standing on dry land, but not so easy to control a ship in a boisterous sea, when the expert seaman has to call for God's help and nothing else.

I was sorry to have noted that one of my best friends who is very much interested in my welfare and the independency of Nigeria advised me in his letter to an editor that the best I should have done was to imitate the action of one of my colleagues, by crouching on my knees in apology to himself and his associates to gain forgiveness for a grievous offence committed after which I shall be granted confidence and re-instatement to gain the whole world and all its wealth. I should like him to answer the question, which is to be blamed : The Ocean or the Ship. The latter is under human control and the former is controlled by Nature.

Now proceeding to business. I beg, Sir, to continue my statement of last Meeting in February, this being the right time to deal with matters parochial regarding the development of the Cameroons, which I hope Honourable Members will permit me to mention Cameroons specially, for we are the youngest child in birth and need much care for our physical development.

At the last meeting I mentioned the needs for Rural Water Supplies, to which Urban Water Supplies will be added for the Cameroons Provinces. It is noteworthy to quote the remarks made by the Provincial Development Committee at Buea :

“ Urban Water Supplies :— ”

“ The Committee was in agreement that the institution of a Water Rate was a difficult matter and would involve additional staff. It was felt that the best method would be to increase taxation in the Area benefitting and to set aside such increase to meet all charges. The District Officer, Victoria, pointed out that if in addition to Urban areas, Rural areas were also given supplies there might be a case for increasing the tax throughout a Division.

The Committee agreed that where necessary taxation should be increased by an amount necessary to cover all necessary charges for water rates.

(For information of Eastern Area Development Committee).”

I wish therefore to beg to point out that where Government will decide to increase taxation as is now the case Water Rates should be cancelled or it may involve double taxation on Taxpayers. To avoid misunderstanding to the public I beg therefore that the matter be carefully considered.

I mentioned Roads, especially feeder roads for the whole of the Province, Victoria, Kumba, Mamfe and Bamenda. I beg to quote extracts of resolutions and recommendation from Minute of our last meeting of the Provincial Development Committee held at Buea on the 4th February, 1946, and the following reads: From the Kumba Divisional Development Committee, Roads :—

“ A Schedule of roads recommended for the Division was submitted by the Provincial Engineer and was agreed upon. The District Officer, Kumba, recommended that the Sango-Mbonge Road should be given priority over the Ebondjie-Nyassoso-Ugadong Road, the Chairman observed that this scheme would be considered as part of the Provincial Scheme now under discussion.

While we have hopes of the Kumba-Mamfe Road to be completed later this year, we hope the feeder roads within Mamfe Division will also be urged. The situation of Mamfe being certain to become an important Transport Centre.

At the Provincial Development Committee the comments on roads from the Bamenda Divisional Committee are as follows :

“ The question of the urgency of roads and communication was stressed by the Senior District Officer, and the delay in progress due to shortage of staff. He urged that the people should be asked to make roads for themselves and said that forty-five miles of road had been made in this way in the Division. The Chairman pointed out that although Government and Native Administration would appreciate roads being made by the people themselves the people would probably expect Government and Native Authorities to take over and maintain the roads shortly after construction. Since this would involve the question of firm estimates, it is essential that the Provincial Engineer should first be consulted.”

With reference to the roads that are being constructed by the people themselves, I beg to suggest that a certain sum of money be provided from the Development Fund to be spent by distribution to such people who are making these roads themselves in each Division as compensation to serve as an incentive to enhance the development of the country. It is of course to be considered that the Government and Native Authorities must in future take over the maintenance of those roads and the improvement when transport of trading products by motor lorries will be necessary.

While dealing on the question of roads, we should also remember the bridges needful.

In the Kumba Division we have the Meme and the Mongo rivers. Up to now they are being crossed by Ferries, which are dangerous, especially during the rainy season when these rivers overflow to a considerable height

and the rapid increase in velocity, whereby lives of travellers are endangered in the crossing of these places.

According to information received a number of people had been drowned in each of these rivers every year and I beg to stress that bridges be built over them.

From personal experience, you might have heard of the accident which occurred on the 8th September, 1945, when the District Officer, Kumba and I visited the Bokossi area, the ferry and lorry and all of our belongings were sunk in the Mongo river and the steward of the District Officer got drowned. The construction of these ferries are to my opinion not capable for the duty they should perform.

I would suggest that it is better for a solid work be done and that should be permanent bridge to save loss of lives, property and constant repairs. I therefore stress that provision for bridges crossing these rivers be made from the Development Fund while Government and Native Administration are doing their part.

Electricity.—At the meeting held by the Native Administration of the Victoria Division it was resolved that Electric lights be installed at Victoria, Buea and Tiko.

It is almost sure that the light provided for the New African Hospital will extend to the Victoria Station and we hope it will be done according to the Provincial Engineers statement at the last Provincial Development Meeting of February, 1946 at Buea. It is also hoped that Tiko may be lighted from the Plantations. About Buea, the Provincial Engineer said the lighting of Buea was not included in the 1946-47 Estimates, but that Buea should be wired now and prepared and if certain R.A.F. Plant could be made available, it could have electricity as a temporary measure. It is certain that non-Government bodies will also apply for electric lights in Victoria.

Telecommunications.—This scheme is hoped to be extended to connect the whole Province and that Trunk Telephone should embrace Kumba-Mamfe and Bamenda.

Marine and Transport.—Extracts from the recent meeting held at Buea reads as follows:—

“*Launch Service.*—The need for a better service between Victoria and Calabar and other parts of Nigeria was stressed. The Committee stressed the urgency of this matter and the need for early action. ‘(Action by Resident).’ This being an old complaint I am at a loss why this question involving European and African has been so much overlooked by Government. I shall be grateful if immediate action will be taken as I hope the Resident will urge Government to take steps without delay.”

Launch Service to Kumba.—A launch service was also suggested between Ikang Mbonge and Ndian. The Divisional Marine Officer said that the river was not suitable for large craft. The District Officer asked that a survey of the possibilities might be made and the proposal examined in detail. The Divisional Marine Officer agreed to undertake this. Opinion generally

was that it would be better to improve land communications. Action by Divisional Marine Officer.

Housing.—I should beg to stress the question of Housing for African employees in general especially in Lagos and also for the local population to ensure better health and sanitation of the people. I recommend the Brick making industry be preferred and shall be grateful if this industry will be encouraged by granting subsidies from the Development Fund. It will be self-maintaining.

Medical and Health.—At the meeting in January of the Native Administration held at Victoria, cottage hospital, were recommended for Buea, Tiko, Mungo, Bauso in Bamenda and Mbonge and Nyassoso in the Kumba Division.

At the Provincial Development Committee it was resolved :

1. That a new European Hospital be built at Buea.
2. That the present European Hospital would be the most suitable site for a Catering Rest House in the future.
3. That the Female Ward of the old African Hospital should be converted into a Rest House as a temporary measure until the European Hospital has removed to Buea.

Medical Staff.—The need for increased medical facilities for the Province was stressed and that representation has been made to the Director of Medical Services for (1) A Medical Officer to be stationed at Kumba (Bamenda Division) (2) An Assistant Medical Officer at Kumba and (3) A European Sanitary Superintendent for Bamenda. The urgent need for these officers was stressed and also for Medical Research in Filaria and investigation into the sandfly scourge at Kumba.

Leprosy Control.—The meeting of the Victoria Native Administration urged the need for Leprosy isolation Camps in the Cameroons. They agreed that a site be provided on the Divisional boundary between Victoria and Kumba affording the possibilities for relatives from both Divisions to visit their patient in these camps. For Mamfe and Bamenda a site may be arranged for both Divisions.

General Education.—At the Victoria Native Administration Divisional Meeting the need for two Secondary Un-denominational schools was expressed. However, they added : should financial condition be considered difficult at the moment, they shall be satisfied if one is given them to serve the Province until, with the progress of the ten-year plan, it be found possible for another to be built.

Referring to extracts from minutes of the meeting of the Kumba Divisional Educational Committee held on the 3rd and 4th September, 1945, the following was discussed.

Boys Education.—Part II Sites for Higher Elementary (Standards V and VI) Schools and order in which they should be put up. The District Officer said that the three most suitable sites were Kurume, Massaka and Nyassoso, and after a brief discussion a resolution was made and passed :—

“ That a Higher Elementary Department be opened at Kurume in 1946.”

The other two places Massaka and Nyassoso being postponed, owing to lack of funds there. But now that we hope to be assisted from the Colonial Development Funds, it shall be very much appreciated that the two places Massaka and Nyassoso be given Higher Elementary Schools which they themselves had been asking for at the meeting of the Bakossi tribe during my tour in the Bakossi area.

The question of vocation training was also brought up and discussed when it was also resolved that :

(a) Government should request that the Basel Mission station the Reverend Grest in an Industrial Training Centre, Divisional or Provincial, to train youths after school in industries and trades such as the leather industry and exercise general supervision over their activities after leaving the centre.

I am glad to report that this subject has been dealt with at the Provincial Development Committee recently held at Buea and that it was recommended by the Kumba Divisional Committee that the Native Administration should purchase equipment and erect a Tannery at Kumba, advancing loans to leather workers. The cost of equipment (estimated at £42) and ? building to be replaced over a period of three years. The Reverend Grest of the Basel Mission was asked to take over this work.

The Committee endorsed the resolution of the Kumba Development Committee that this work should be undertaken and the Reverend Grest should be invited to take charge.

NOTE.—Since the meeting of the Committee a cable has been received by the Basel Mission from the Basel Mission Headquarters releasing the Reverend Grest for this work. Since Tannery and Shoe-making are one of the most important needs of people in the world, I should request Government that all needful assistance be given to this department for the maintenance and training of boys in this industry from the Colonial Development Funds of the ten years plan.

Technical School.—I was greatly disappointed when discussing the proposals for the Ten-Years Plan, the chairman gave no hopes of a technical school being granted the Cameroons. However, since there are so many plantations equipped with machineries, also that a small technical school has been opened at Bota, which can be improved and encouraged for future development, I request that this may be considered for the people of the Cameroons are desirous to have it. In support to my statement I will refer to an extract from Minutes of a Divisional Education Committee held at Victoria on the 10th October, 1945, on Technical Training.

“ *Technical Training.*—(a) Bota : twenty apprentices are at present in training and are being taught Elementary Mathematics and English by a Government Teacher. The need for a teacher able to teach Elementary Science and drawing was pointed out (i) It was proposed that the Education Department to send a Technical Education Officer to the Cameroons to report on the need and facilities for the training of apprentices in the workshop of the Cameroons Plantations. (2) It as

also proposed that the Plantation should be asked to appoint a Technical Instructor for the education and training of the apprentices."

Agriculture and Commerce.—Our country having no other means of living than farming requests the Agricultural Department to assist them by advising them according to the nature of the different conditions of soil, which crops should be suitable for each of these Divisions to grow for trading purposes. At present most of the Cocoa farms have died out in the Victoria Division and now that peace has been restored they are prepared to work hard, but must be told which crop will be in demand for trade with the European Commercial Firm to enable them to earn sufficient money for the improvement of their domestic, economic and social conditions and a better standard of living, and I shall be grateful if the Director of Agriculture will take this matter under serious consideration.

It is also expressed by the people whether loan could be granted reliable and industrious Native farmers to improve their farms and refund same by yearly instalments when the crops are sold.

The question of Cattle Grazing and breeding had also been discussed at the Provincial Development Committee recently held at Buea and before I quote the remarks of the above-mentioned Meeting, I should like to point out that the ancient and natural industry of our Country and tribe which must have been nomadic is known to be cattle breeding and farming. This being an industry known from time immemorial to have been the only means and source of their existence, and which can be easily promoted by improvement of their pastoral condition and training on Modern Farming Scheme and thus increase the wealth of the masses. I hope the intention of Government is not solely confined to development of their own Agriculture and Farming Establishment, but meant to extend facilities enjoyable by industrious Africans who would determine to co-operate in the Development of their Country by running farms of their own and cattle breeding and that any reasonable financial assistance and implement required will be granted them from the Colonial Development Fund.

I will now quote the remarks referred to as follows :—

"Fulani Cattle Grazing"—Bamenda Division.—The Senior District Officer, Mr Mayne spoke of the importance and urgency of this question at present. He gave the following information :

The assessment of cattle which was given in the year 1934 as 10,000 has now increased in 1945 to 150,000 and said that there were probably about 200,000 now. The result was :—

(i) Impoverishment of pastures.

(ii) General dissatisfaction on the part of the local inhabitants, and he felt that a serious situation may well arise if this matter is not dealt with soon. The people naturally regard the land as their own. He advised demarcation of the highlands with a view to leasing those lands to the Fulani people. (This was started in 1945) and made the following suggestions :—

(i) *Cattle should be limited.*—Rules should be made under the Native Authority Ordinance determining how many cattle should be

kept in any Native Authority Area. Demarcation of land/farming is necessary.

(ii) Leasing land to the Fulani should be legally. The local native did not realize the implications involved in the present system of leasing land to the Fulani.

The Senior Agricultural Officer, Mr Pedder mentioned that :

(i) Herds are running wild and ruining crops and spoiling pasture land.

(ii) The people at present have little more than the amount of food necessary for mere subsistence on their farms and cattle are destroying farms and so reducing food production.

(iii) Money paid for damage does not compensate for the loss of food.

(iv) The Fulani considers his wealth in the number of his cattle and has no desire to sell.

(v) The grass is good ; there are not enough local rules and regulations and the Fulani people are very independent, and are taking advantage of present conditions.

The following suggestions were made :—

(a) An increase in the rate of Jangali, irrespective of Northern Nigeria Rates (by Mr Bridges).

(b) Correct procedure as to herding, control, etc.

(c) Control in dispersing cattle should be concentrated in certain areas.

The following resolution was then made :—

That in the opinion of this Committee, it is not necessary for an official to continue the work begun by Dr Jeffreys. The Committee favours instead the following measures :—

(i) Restriction of herds.

(ii) Upgrading of Jangali in the Northern areas irrespective of the rates in force in Northern Nigeria.

(iii) Rules to be drawn up limiting the size of herds, dispersal, etc.

(iv) There should be there a Cattle Control Department formed by the Native Administration under the Veterinary Department Management.

(v) That the activities of the Cattle Control Department must not be confined to the Bamenda Division or evasion would be easy.

This House will remember that the question of scarcity of land and land disputes in our Province was being mentioned by me sometime ago. In the Victoria Division land is scarce. We are penned in our Native Reserve consisting of hills and valleys and one of our staple food known as plantain, also bananas, suffer from the wild violent attacks of tornadoes during the time of bearing and leaves insufficient plants fit for use during the harvest season.

Apart from the Upper Bakweri District, the soil along the coast produces Coco yams only for a season and therefore constant farming of new plots is necessary.

Having been confined into these Native Reserves the Yam crop yields comparatively small fruits as the land is so much exhausted.

The people being desirous to continue with breeding of cattle small cattle and pigs need reserves exclusively for that purpose. It is therefore essential that more land of rich soil and pasturate be provided us from Plantation lands surrounding our Native Reserves and also to regulate the land disputes among the tribes in the Bamenda Division by fair distribution of same to each.

Veterinary.—The Training Centre is unanimously recommended to be in the Bamenda Division where cattle is plentiful.

Forestry.—There is still dissatisfaction existing among the Natives on the question of Forestry Ordinances and its restriction.

It is my duty to explain that the native, having got to live and exist as human being, possessed the knowledge instinctively to make use of the product of the land he owns and before the advent of the Europeans used those valuable trees so economically that for generations his forest may always be able to supply. As facts, I wish to point out that on the Western side of the Cameroons, the Bambian and Bota, Rumby now called Bakolle got most of their canoes from the Bai tribe, who are in the neighbourhood of the Bai plantation in the Kumba Division along the Meme river. On the South-western side the Bimbian Duala and Mungo, etc. got most of their supplies of canoes from the Balong District and Kumba Division.

In our own Forest we were very careful of all valuable timber and every farmer took care of such tree and protected them from destruction during the farming season and so each farmer while owning his farming plot as personal property claims the Timber within that area as his; farm plot and trees are inheritance in succession.

After the System of the German Government of taking away our lands and selling them to Plantation, most of the Natives lost their properties. The small parcels of lands were then reserved for Natives to live, farm and to rear their few cattle. Now that the Forestry Ordinance was introduced with the understanding that the Ordinance was for protection of those trees for the perpetual needs of the Natives, it has afterwards been proved that most of these trees are being permitted to be felled by strangers, and big European firms are given concessions to remove large quantities of timber from those forests. This can be confirmed by the facts that some French Companies are having concession of timbers in the British Cameroons and this I feel to point out that we are being impoverished by giving away our timber to enrich the French people, whose Government occupies the best part of the Cameroons, while we are in want of land and Forest products.

Before the Governments consolidated their Administration in our country, European houses, timber, planks, pitch pine, yellow and white pines were all imported from England and America. At the present time no timber is imported, on the contrary, they are exported from our country to those places. How can we get on with the development of our country if we cannot get our own timber to build decent and healthy houses.

During my visit to Kumba, where a meeting was held at Nyassoso with the Bakossi tribe, they all complained that the best part of their timber is given by large concession to Timber Company from the French Mandated Territory and that they most respectfully and humbly beg that a reserve be made for them to save the remnant for their use and of their succeeding generations.

I sincerely sympathised with them and would most respectfully submit to Government that this be seriously considered and arranged if the development and welfare of our country is really meant.

I further beg to submit to Government that the Sawmills established in Nigeria should serve to supply timber and planks to the inhabitants, for pit sawing produces insufficient material to meet the requirements of the people in general. With the spread of education and civilization, it is doubtless that the needs of the inhabitants are growing daily.

I shall ask here to continue by quoting the remark made by the General Manager of the Cameroon Plantation at last Provincial Development Committee:

FUTURE OF CAMEROON PLANTATIONS

“The General Manager, Plantation, said that it was a mistaken idea that the undeveloped areas of the Plantations possess valuable timber. Over a period of twenty-five years the Germans had bled the forest lands of good timber, and during the first three years of the war vast quantities were exported for war purposes. In connection with the Development programme the Plantations will have to undertake a very extensive building programme and he doubted whether adequate suitable building timber is available. As regards timber for fuel the shortage of such timber on the Tiko estate is rapidly becoming acute.”

With reference to the above statement and explanation of the situation, I wish Government to recognise and protect rights of private owners of Timber on their farms and such as are existing in our tiny native reserves.

Apart from valuable Timber for building and furniture making, the Natives are not extravagant in the using of trees for fuel within their reserves. The Natives hope that the Forestry Department make reserves for itself and grow its own Timber. They feel as not being benefitted in any way by their activities. The Native Authorities also feel dissatisfied that the share of the income of this Department given them is not sufficient.

That Nigeria has been able to produce sufficient food for her people during the war is most creditable and therefore hope Agriculture to be given all necessary attention to enable her in future to increase in productive power for self maintenance and export to other places.

I wish to express my great appreciation with regards to His Excellency's Opening Speech of the 18th instant which is most instructive and constructive. I hope he will be granted to see the fruits of his labour in Nigeria and that all classes of people in Nigeria will enjoy happiness, prosperity and peace from his Administration.

I also beg to express in addition my warm appreciation to the Nigerian Police Force for their most valuable and admirable service to the Public and the Government, maintaining peace throughout the war.

I can remember how brave they met the soldiers who caused disturbance in Victoria and at times disregarded the District Officer. I also admired their timely appearance in Victoria to keep order when the plantation labourers would cause disorder during their strike. I feel very much pleased that they are considered for improvement in their salaries and condition of service. I heartily congratulate the Commissioner of Police and his Department in general.

Before closing I also feel proud to have the opportunity of extending our congratulation to our Nigerian soldiers who left this country to go and fight side by side with other comrades of the United Nation and took part in a Victory which carries the highest record in the history of mankind and while paying tribute to them for their bravery and gallant service we wish them safe arrival and welcome back to their homes.

I hope the Government will not underestimate our contributions in kind and finance towards the success of Victory in the great war. I support the Appropriation of the said amount.

While thanking Your Excellency and Honourable Members for patience in listening to me, I beg to resume my seat.

The Commercial Member for Port Harcourt (The Hon. W. V. Wootton) :

Your Excellency, in opening I think I ought to give you my assurance that I shall not attempt to imitate the whirlwind which has just passed. I think the Honourable Member should provide the Reporters with a copy of his speech.

The Budget Session of this Council has always been regarded as one which enables this side of the House to let off essential steam and hot air and this Session has proved no exception to the rule. Practically every Department has been criticised but I would like to touch on a few matters already moved by Honourable Members and my remarks may be helpful when the Government gives consideration to the suggestions put forward by the Members of this side of the House.

I would first like to touch on the Budget Estimates. I have watched the progress of Nigeria for the last twenty-five years. There have been a few ups and quite a lot of downs. Reserves today are higher than they have ever been in Nigeria but I would like our watchword to be "Caution." Let there be no repetition of the squandermania of reserves which took place between the years 1925 and 1930, the spending of reserves which Sir Donald Cameron was able to accumulate after the 1921 slump. In the years to come, just as surely as there is now a boom, so, surely there will come a slump, and it will be the biggest slump the world has ever seen. The Estimates provide for a small surplus of income over expenditure. I consider that they are very conservative Estimates and I hold a much more optimistic view, and I believe that by the year ending in March, 1947, we shall still show a very large surplus over expenditure.

I come now to the Post Office. There is no doubt that the Post Office service today is absolutely inefficient. Delays in telegrams, letters, telephone calls are common. At present a case is being investigated where a rather confidential and private letter was apparently opened by a Post Office official. At the same time I have a great deal of sympathy with the Postmaster-General. He performs a terrible lot of work for which he receives no revenue. I refer to Government business, which forms a very large part of the Post Office traffic and I think I am right in saying that no Government Department except the Public Works Department make any contribution towards the revenue of the Post Office. I hold the view that Government Departments should include in their Estimates a Head which will provide for the estimated expenditure by those Departments on telegrams and telephones and that the Post Office should have the corresponding credit to their revenue. I have a feeling that nearly all Government Departments use the telegram and telephones far too often merely because it is free and it is an easy way of conducting correspondence. I had a telegram the other day from someone in the Secretariat here which asked for a reply. The telegram was sent at a cost of nothing and it cost me 1s 6d to reply, and I consider that both telegrams were completely unnecessary. I hold the view that any Government Department which has a large revenue and a correspondingly large expenditure should be organized and operated on a commercial basis, as for instance the Railway. If this were done we should get a truer picture of what the Post Office does and the volume of traffic which it handles during the year.

I come now to the question of controls. During the war all kinds of controls and controllers were established—the most ludicrous was the Control of Pedal Bicycle Parts. In fact the only post of a Controller that the Government omitted was that of Controller of Controllers! Well, a lot of those controls were necessary during the war. We are now in peace: let us get rid of them as soon as we possibly can. Where it is not possible to completely de-control then let us narrow the limits of control. The Honourable Member for Ondo yesterday mentioned the Police Post Control. I think he mentioned it in connection with the Police Department but I believe that those Police are only supplied by the Commissioner of Police at the instigation of the Transport Control. There are four of these Posts between Port Harcourt and Onitsha—a distance of 129 miles. In my view they should be abolished the whole country over. Much information which one has to give to these Police is of no value; I doubt if it is ever used or even understood. Let me give you one illustration: some months ago I was stopped at a Police Post. I was not feeling very well or in a very good temper, and I was asked about ten questions and the last question of all was the reason for my journey. I was so exasperated I said “Play.” He said “Shall I spell it ‘pray’ or ‘prey’?” I feel these Police could be used for far more useful work, and that some much cheaper way of checking up traffic could be found. I shall be only too happy to help the Transport Control to evolve a cheaper method and so get rid of this irritation which is caused by these Police Posts.

Mention this morning was made of Railway pilferage. Your Excellency, this pilferage has reached very large proportions, but it is difficult to know

who is responsible. Many years ago the Railway had their own Police, and, my view is that if the Railway still had their own Police this pilferage would subside. I do not know what the Commissioner of Police is going to say in his reply, but please do not let him tell us that he has not got the staff. There are about two hundred Control Police in the Eastern Provinces which he could have tomorrow morning.

The Honourable Member for Ibibio mentioned this morning the Iko Ekpene Raffia industries. The Ikot Ekpene products which are now being produced are very fine indeed. The Honourable Member for Ondo said let us find markets for them. It will be information to him to know that markets have been found for these products. Export Licences have been obtained but the Board of Trade at home, which I understand is shortly to be renamed Board of No Trade, will not issue the Import Licences into the United Kingdom, and until the Nigerian Government can do something to force the issue there, there is very little future for the Ikot Ekpene industries.

The question of manillas was mentioned this morning. This is an old story which has been going on now, to my knowledge, for twenty odd years, but in the earlier days it was the African who wanted to keep them going. Today, however, he has changed his mind. As long ago as 1936, perhaps a little earlier, say 1934, when manillas were nineteen to the shilling, I suggested to the then Resident that the obvious thing to do was to set up an Exchange Equalisation Fund, and that Government should, when they were nineteen to the shilling buy them in and/or take them in in payment for fines or taxes, and then when they went to six to the shilling just sell them back. Over a period of years we should have got rid of all the manillas in the Eastern Provinces.

In past years, I have always had the feeling that the Eastern Provinces were too far away from Lagos and that the people in the Lagos Secretariat from top to bottom were just afraid to stir up mud. It is also true to say that perhaps the Chief Commissioner, Residents and other Administrative Officers in the Eastern Provinces were also afraid to stir up mud in case something started. I think that in 1943 there was a measure passed through this House—I think it was the Budget Session, 1943,—which provided in certain circumstances for the manilla exchange to be stabilised at twelve to the shilling. I believe that some approach to Government was made to stabilise it but there were some objections. What those objections were I do not know, but I rather suggest that it was thought better to run away from it than to face it.

With these remarks, Your Excellency, I whole-heartedly support the Appropriation Bill now before us.

The Member for the Ibo Division (The Hon. E. N. Egbuna) :

Your Excellency, I thought it would be unnecessary for me to speak in view of the fact that all the points which seemed necessary have been dealt with by the previous speakers. I will, however, content myself with a few remarks in connection with the beautifully phrased speech which Your Excellency delivered in this House.

I would like to refer to the portion which dealt with the section of the Nigeria Press in regard to the obviously scathing remarks which Government thought fit to make on it. It may be true, or it may not, that there are reasons why the Press should appear to be vindictive at this stage of the development of Nigeria.

I hold no brief for the Press, but on opening your Address at page 3, Your Excellency referred to the freedom of the Press and you indicated that the Press was free "Free to abuse, to sabotage effort, to kill enthusiasm, to impute bad motives and dishonesty, to poison the springs of goodwill and foul well of trust, to impregnate the body politic with envy, hatred, malice and all uncharitableness—in short, free to do the Devil's work." Even if that is so, Your Excellency, I think at this stage, Sir, it may be necessary to try and find out why the Press has adopted that attitude in regard to public matters. Is it out of a sheer desire to embarrass this Government, or is it merely the effusions from the pen of someone who feels highly irritated at the circumstances and events which seem to occur here at the moment. I think, Your Excellency did supply the answer in the last paragraph of Your Excellency's speech which reads :

"In conclusion, I reiterate that I have faith in our future. We stand so close to our own times, and we feel so wholesomely impatient with our slow rate of progress, that the sum of real achievement is apt to seem small."

I agree with you, Sir, that the trouble in this connection is that either we do not fully appreciate what the Government is doing sufficiently well, and that our rate of progress is not in fact too slow, or else the Government has made no effort to point out to the people and show them, that Government is in sympathy with their legitimate aspirations and that progress made so far is reasonable having regard to circumstances. As I said before Sir, I do not agree or necessarily disagree with the views and opinions expressed by that section of the Press, but I will also defend their right provided it is used in a lawful manner. It is my humble view that the Press has been given undue importance in the speech delivered to this house, and I do not feel it is worthy of all that attention.

The Press.—As the Honourable E. W. Cannell mentioned, we have a Press which is run by the Government and if, for any reason the Government is dissatisfied with the views expressed in that other section of the Press, then it is the duty of the Government to clarify all necessary and debatable points and so counteract the views expressed by the other section, but until that is done, Sir, I think it would, in my humble view, be difficult to expect that section of the Press to which we refer to repent and say "We are just kidding. We are sorry about this matter." I am quite sure they will never do anything of the sort. Whatever mistakes they made it is the duty of the Government to point out, and when it is the view of the Government that they have transgressed beyond the bounds of the law, it is Government's duty also to point out this or otherwise act. I feel that in making these frequent remarks about the Press Government does itself more harm than good, because it makes people feel that that particular section of the Press is only being attacked because it is frank or because it is fearless. I am not quite sure it is either. I said at the beginning I was not sure whether this

particular section of the Press is always right in its views. But then is it not time that Government should seriously set itself to consider the reasons why a certain section of this community should be so infuriated by Government measures? My own view is this. I do not think Government is doing all that it ought to do in order to ensure co-operation and goodwill of all the members of this community. Take whichever section of this community you like.

African Civil Service.—Take the African Civil Servants. Now Sir, in the relations between the African Civil Servants and the Government, are we satisfied that the African Civil Servants are receiving a fair deal? Are we satisfied that everything is being done to ensure their whole-hearted co-operation with this Government? Are we satisfied they are well paid, well housed, well cared for in every way? Are we satisfied they are receiving from this Government that measure of attention which rightly or wrongly they feel another section of the civil service do receive? Unless one can answer these questions in the affirmative and say that the African section of the civil service is receiving such attention from the Government as the non-African section of the civil service it is difficult to expect that they would be satisfied. One tires of hearing year in and year out of the attempt of Government to Africanise the civil service. It is only on paper. It is not real. Each time you look into the estimates you will find all the higher posts are reserved for non-Africans. If you ask why, you are told repeatedly there are no suitable Africans. There are no Africans fit to hold those posts. It is the duty of the Government to train Africans and enable them to hold these posts because so long as these higher posts in Government are considered the preserves of a certain section, so long will there be dissatisfaction among those people who are excluded therefrom. It is a question, Sir, of the psychological aspect of it. It is not merely a question whether a person who is a Chief Clerk has sufficient money to live on or not. He feels he is just as good as the other fellow, who gets three times as much.

Legal Department.—My Honourable Friend the Third Lagos Member spoke about the Legal Department. Personally, I am certain he is not very anxious to go into the Legal Department, but then for years certain posts of Crown Counsel have been vacant in that Department. It is agreed on all hands that the posts ought to be filled by really capable people; people who have a sense of responsibility and a high sense of integrity. It is the duty of such people as Crown Counsel to advise Your Excellency in matters wherein Government interests are concerned so quite naturally only suitable persons ought to be chosen, but I think it is a very sad fate for this country if after so many years, possibly 100 years of rule, by the British more Africans cannot be found fit and/or diligent enough to occupy some of these posts. Is it not likely that suitable persons have not been offered appointments? This year there will be vacancies for Senior Crown Counsels and I think it is safe for me to say that no African has so far been selected to fill any of them. The same applies to the Medical profession.

Medical Department.—Last year, we of the African community were particularly pleased at the appointment of an African Medical Officer to the post of specialist. I was particularly happy because all along it has been

clear that this particular Medical Officer was one whose character, integrity and years of experience would ordinarily have entitled him to the post of Senior Medical Officer long before now. For one reason or another I have no doubt the Medical Department seemed to have overlooked him. Now at last he has been rewarded. It would seem a trivial matter when one comes to think of these appointments in terms of the money or emoluments attached to them, but I do not think we regard this matter solely from the point of view of money. Prestige also matters. I think many Africans would be more satisfied with the position of affairs if out of ten or fifteen District Officers, one is African. The particular individual who happens to enjoy the particular post does not have to share his emoluments with every body, but we always feel proud whenever one of us is considered good enough and selected to occupy a higher post. Now, Sir, to illustrate my point of view.

Police Department.—The Police Department has been highly commended by Your Excellency for the good work it has done throughout the war years, for the immense sacrifices which the members of the force made. I make bold to say that the Police were able to achieve success not because they were simply members of the police force, not because they were paid by the Government to do their duty, but because they had an Officer who realising the necessity of having full and implicit confidence in his African staff has been generous enough to recognise the ability of the African and recommend certain African Officers for promotion to the higher posts which they enjoy now. They gave their services willingly and ungrudgingly—I mean the rank and file, because they know now that even the higher posts are open to them provided, of course, they can qualify by proving themselves able and diligent.

Customs Department.—Again, take the Customs Department. One of the few Departments which seem to favour the view that Africans are at least as capable and efficient if they are given the opportunity to exercise their talents. At any rate, a few Customs Officers are being appointed to the grade of Collectors of Customs and so far as I am aware they have not been found wanting. In particular one has gone to the station in the Warri Province, not only acting as Collector of Customs, but as Justice of the Peace and also as the Local Treasurer. He has been doing that work for the past year and so far there has been no trouble at all. I am certain that in both these departments, the Customs and the Police as in others where opportunities for higher posts are less favourable you will find Africans whose capability and reliability cannot be questioned. No African, I believe, ever suggests that the emoluments drawn by any particular section of the Government service is more than it should be. Always we say we are underpaid and not well cared for. Time and again the Press has voiced the feelings of the people and has tried to bring it home to Government what they would like to see, but it would appear that every time Government has always turned a deaf ear to whatever they might say. Many times a particular section of the Press has come out with editorials in praise of certain Government Officials. Sometimes Europeans. When it does so no body praises it. Surely the Press has the right to criticise and the right to praise. In a large measure, Your Excellency, I am of opinion that things

could be much more improved if only a section of this community realised what their duties and responsibilities are to the Government and to the people. A public servant I hold is a public servant. He has obligations and duties towards the people. He has no right to snub them. He has no right to be arrogant when he likes to. Now the war has ended it would appear that that particular section convinced that the war has been won by their own people without the help of other races, feel they have the right to dominate and do what they like on every conceivable occasion. You will find that attitude not only among Government Officials but with private business people. I must say, Sir, the African is not so thick skinned as he is supposed to be. Unless that is realised there will be a lot of trouble. With this vast scheme of development and welfare, Your Excellency rightly pointed out it will be necessary to secure the whole-hearted support of all sections of the community and I trust Government will do everything to ensure that co-operation. There will undoubtedly be a lot of difficulty in the implementation of the scheme itself. For instance there is a feeling that in the distribution of contracts the African may not be given as much opportunity as he really deserves. I know of building contractors, foreign building contractors, who are flourishing in Lagos and elsewhere. I know, also, that these individuals expect to carry off quite a large share of what Government is prepared to spend for development. We will not object to capable and efficient builders having Government work, and we will not object to Government giving work to its servants, but we will strongly object if the Africans are left out in the cold. They ought to share the warmth of prosperity.

One remark Your Excellency made in your Address referred to the unfortunate clash between the Hausas and Ibos which occurred some time ago in the North, at Jos. It was most unfortunate, and we would like to have an opportunity of knowing more about the circumstances and the incidents leading to the riots, because unless we are in a position to know the reason it may be difficult to avoid a repetition. Perhaps Government would investigate the matter, and communicate its findings in the matter to the various native administrations in the Eastern Province. They would naturally be guided by any advice Government sees fit to give especially in view of the fact that with the coming into operation of the new constitution, more closely than ever the South will be knit with the North, and it will make for a more healthy relationship if all sources and causes of dispute are eliminated.

One honourable friend has already touched upon this point, and I would only mention it for the sake of emphasis. In your Address, Your Excellency, you gave us the reason why the tonnages of palm oil and kernels offered for export to the United Kingdom in 1945 had shown a disappointing decrease and that this decrease was probably due to the abnormal lateness of the rains, resulting in a poor fruiting season, rather than to a relaxation of effort on the part of the producer. That is so, Sir, but I am certain that that is not all there is to it. Year in and year out the people of the Eastern Provinces and also the Western Area have clamoured for higher prices, better economic prices, because they have found that it is uneconomic to continue to produce this crop at the present price paid. More than that,

the farmers have also discovered what prices these commodities fetch abroad and by a simple process of calculation it has been possible for them to estimate what profits the middlemen make, therefore, the producers argue if allowed to export this commodity direct they would make more money. Basing their argument on what they know is the price which these commodities fetch abroad, they rightly demand higher prices. But the Government does not give them much support, either by way of increasing the prices of this commodity, or by way of allowing them to export. If the assumption by them that these commodities will fetch higher prices in Europe or elsewhere is wrong, then I would have thought it would be safer and a reasonable thing for the Government to do to allow the producers to export themselves. The only way that Government can ensure it receives from the farmers the maximum yield from their farm produce, is to increase prices.

Export.—Under the Head Customs and Excise, we find that in this year's estimate the import duties will amount to £4,000,000 and export only £700,000. It is curious that export duties remain at the same level every year. It does indicate to my mind one thing that the Government does not hope or does not intend to encourage export of our commodities. I think, Sir, two years ago, I mentioned the said point. I said then that in my humble view the financial position of this country would be greatly improved if only we were allowed to export all commodities that we can, and thereby increase the yield from export duties. We feel rightly or wrongly that the reason for Government refusing export or quota licences to the indigenous natives is to enable a section of the Commonwealth to acquire whatever produce we have at prices which are more or less negligible and uneconomic. The manufacturers convert this produce into goods and then return them to this country to be sold to us at prices which we consider fabulous.

Every year more money goes out of the country than comes into it. We cannot be richer, we will always be poorer. I agree that we shall undoubtedly derive a great deal of benefit from the colossal sum which has been given to us by the Home Government under the Development Plan, but like the Honourable Member for the Ondo Division when debating on the Development Plan last year, Sir, I feel actually that all that money does not come from the Government concerned. I do not like to be pessimistic but I do not regard it as a free gift. Certainly the Home Government is entitled to take the long-term view of these matters and know that where you invest you obtain profits. Naturally, as a result of this money to be expended during the next ten years this country will vastly improve, the standard of living will rise and therefore, I assume, the purchasing power of the individual will be greater. We will be able to buy more and the British taxpayer will be able to get more out of the country. We are grateful to the Home Government for at least taking the long-term view which necessitates the granting of this large sum of money, and we hope to make the best of it. We only hope that when the scheme comes to be put into operation we will be allowed to give our fullest assistance and co-operation and I hope the Government will ask for it.

I would like to deal with the Departments separately, and would like to mention the Technical Departments—namely the Public Works Department, Lands and Surveys, Agricultural, Posts and Telegraphs and the Railway. I would like to say in connection with these Departments that so far they have done very little to encourage Africans of merit to continue to serve them diligently; they have not encouraged them in the sense that they have not thought it fit to give them as much opportunity for attaining the higher posts as would be expected. In the Posts and Telegraphs, for instance, there is a group of persons, unless I am mistaken, who are called Sub-Inspectors. I think in or, about 1924, when a lot of these young men were recruited from the colleges they were assured that, if they showed sufficient promise and were able to carry out their duties satisfactorily it was intended in future that they would be used to replace some European Staff. Many of them left colleges and High Schools, and took up appointments. They are disappointed and have been waiting in vain. There are vacancies, as far as I am aware, in the higher grade, to which it was expected that the best of these men would be promoted, but so far nothing has been done. I hope that at some future date the Head of the Department concerned will find it convenient to recommend that some of these people be promoted. While on the Posts and Telegraphs, Sir, I would mention one point in connection with the Post Office Savings Bank. At the moment I know that if one deposits money in the Post Office Savings Bank, a Bank Book is issued to the depositor and on it the only thing that appears is a number. The Post Office would appear to keep no ledger where the name of that particular individual can be recorded. The depositor is just a number as if he were in the army. Well, Sir, that leads to certain inconvenience: should a depositor die suddenly and his relatives apply to the Chief Accountant for a statement showing the credit standing in the name of the deceased, they receive the reply that unless they are in a position to quote the number of the Bank Book nothing can be done as the Post Office does not keep a ledger in which the name of the depositor is kept. I am certain, Sir, that a lot of money can be lost to relatives of depositors in this way. If you apply for the money, you cannot get it because there is no means of finding out what the man's account is and you cannot find the Bank Book because it is lost. Surely it would not entail much labour to have these names put down in a ledger for the purpose I have mentioned. After all the Post Office Savings Bank is a Bank for the purpose of saving and not for putting money into Government's pockets. I will not add anything more because so much has already been said about the unsatisfactory position which obtains in the Post Office and I am quite sure that it is not due to the Head of the Department concerned but probably to faulty organisation.

In connection with these technical departments I have said that more room should be made for Africans in the higher posts. If there are not suitable people at present, then Your Excellency has formulated a scheme whereby these people will be educated abroad and the sooner they set out, Sir, for the purpose of attaining the requisite knowledge the better for our Country.

Agriculture.—Honourable Members have spoken about the Agricultural Department. I can only add that no matter the shortcomings of the

people who were sent to the West Indies the Government should persist in its desire to give as much training to our young men as possible by sending them to the proper colleges.

Railways.—In regard to this question of higher posts for Africans, I think the Railway is the worst offender. I have not heard of any African on the technical side whose emoluments exceed £300 and I think that with all the opportunities they have in the locomotive works for training people it is sad that they have not been able to produce people worthy of higher post in engineering. In any case they have the opportunity now under the Development Plan to send people abroad either to the Universities or the Technical Colleges where they can study engineering.

Education.—With regard to Education, I think I cannot usefully add to what Honourable Members have already said during the debate on the Development Plan. At that time it was obvious that the reason for certain delays was the fact that the approval which was expected from the Colonial Office had not yet reached this country. There were no plans on which the Honourable the Director of Education could work and we were in full sympathy but now that it has come we hope that the plan will go ahead. There will be time enough to criticize the Department if after a few years it fails in its duty.

Finally, Sir, before I resume my seat, I would again refer to Your Excellency's Address which I hope to preserve and keep for quite a long while. The portion dealing with the late Lord Lugard. No body doubts what Your Excellency has said of the great man. His task was a great one. He lived in an age when it was necessary to be—I was going to say harsh—when it was necessary to be determined. He worked hard, and did much to bring, to quote Your Excellency, "order out of chaos." To me the pregnant words are "order out of chaos." When he came to Nigeria and might was right he had to adopt strong measures in order to maintain order and discipline. Those days are gone. There is no more chaos, there is much discipline, and what we need, now, is for this Government to build on that sure foundation which the late Lord Lugard laid. It will be a very hard and difficult work but given goodwill and co-operation on both sides, as Your Excellency pointed out, we may yet be able to achieve what years ago might have been thought impossible and in days to come have reason to say that in Lord Lugard we had a great man but in Sir Arthur we had a greater man.

His Excellency :

Does any other Honourable Member wish to address the House ?

The Commercial Member for Kano (The Hon. F. P. Mackenzie) :

Your Excellency, there has been a tremendous amount of ground covered in the speeches on this side of the House. Practically everything has been covered but one Department to my mind seems to have got off and that is the Railway and, with your permission, I should like to say something about the Railway, especially in the North. At the present time we are short of

engines for evacuating produce from the North with special reference to groundnuts. This season out of 290,000 tons of groundnuts, approximately 90,000 tons have been evacuated and the balance of 200,000 tons remains. There must be a certain amount of deterioration in these groundnuts under tarpaulin and yet we know in Great Britain the fat ration is very meagre and has been cut. In Europe the people are very near starvation. With 200,000 tons to be moved from the North, this means, I estimate, that we will have bought probably about 80,000 tons of next season's crop before this season's crop is railed and I think that if we carry that forward to the not too distant future we will find that we have an entire crop in hand. Your Excellency, I would like to stress the necessity as far as the North is concerned for engines and for the movement of stock.

I would also like to mention a point which has already been brought up—the pilferage on the Railway which is getting worse and worse and we get reports in, not only from one place but from every station. Very seldom do things arrive at the other end without some form of pilferage. I would ask that the Railway do something in the matter.

The Hon. G. F. T. Colby (Administrative Secretary) :

Your Excellency, unfortunately the Honourable the General Manager of the Railway is unable to be present at this Meeting of Council owing to ill-health and he will not be able to reply personally to the various criticisms which have been made of the Railway administration. I am, however, authorized to say that he hopes to be in attendance at Select Committee when he will deal with the various points which have been raised and to assure Honourable Members that a note has been taken of the various questions which are to be answered by the General Manager.

A number of Honourable Members, Sir, have referred to the continuation of war-time controls, particularly those related to the control of supplies and transport. Honourable Members have criticised the continuance of these controls in spite of the fact that the war is over. I should like to say, Sir, that generally speaking the war-time controls are as irksome to Government as they are to members of the public. The administration of these controls requires considerable staff at a time when Government staff is particularly short and it also involves the expenditure of a considerable sum of Government money, consequently Government is as anxious to do away with these controls as the members of the public. However, Sir, although the fighting is over, many of the exceptional conditions which were current during the war still obtain and I am afraid that many of these conditions are likely to continue to obtain for some time to come. In particular, supplies of almost all sorts are still short and are inadequate for the great consumer demand that there is in this country at the present time.

To take, Sir, the various regulations which govern the control of motor transport. There is today a greater shortage of motor vehicles than at any time during the war and it is consequently the more essential to ensure that such vehicles as are available are used in the best interests of the community and it is still necessary for private interests to be subordinated to the public good. Consequently the control of motor transport is still necessary.

Tyres are also in very short supply and they too must be reserved for essential purposes. Petrol supplies do show some improvement but no general release can be made yet because to do so would result in the very limited stocks of tyres which are available being worn out. The future of petrol supplies is at the present time somewhat obscure since petrol imports have to be paid for in dollars and the dollar position must depend to a great extent on the Anglo-American Loan Agreement which is now being discussed in the United States. It is, however, confidently expected that supplies of tyres and of new motor vehicles will show a substantial improvement during the next few months and provided the problem of dollars is solved and consequently that petrol can be placed in free supply again, Honourable Members can, I think, be assured that there will be a very substantial relaxation of motor transport and allied controls before the end of the current year.

One Honourable Member referred to the question of Police Posts. If there is control there must be some machinery to ensure that the provisions of that control are carried out. If, Sir, motor vehicles are permitted to carry certain goods on certain roads and if there is no machinery to ensure that those goods are carried on those roads, then clearly the control becomes a farce, and that is why it is and will continue to be for some time to come necessary for these Police Posts to continue.

Sir, one Honourable Member alleged that there was discrimination in the Motor Transport Control Office. The discrimination he alleged was that Europeans were favoured and Africans did not get their fair share of the limited supplies available. I should like to say, Sir, that I have made investigations into this matter and can assure Honourable Members that this allegation is without foundation. In view of the considerable shortage of tyres and vehicles at the present time, the Controller does exercise discrimination but, Sir, it is not discrimination between the African and the European, it is discrimination between essentiality and non-essentiality.

Some Honourable Members have referred to the continuance of the control of exports. Now, Sir, the primary object of the control of exports is two-fold. The first is to prevent the exportation of goods which are in short supply in Nigeria and the second is to ensure that the products of Nigeria are sent to those places in the world where they are most needed. Nigeria's exports are mostly foodstuffs or products which are processed into foodstuffs and in view of the very grave food crisis which exists in practically all parts of the world at the present time, I am afraid that there is very little prospect of relaxing the provisions of export control for some time to come.

In regard to the control of imports, the Honourable E. W. Cannell pointed out that there has already been a considerable measure of relaxation by the extension of open general licences and I would like to say, Sir, that it is the intention to continue and extend this relaxation to the maximum extent that is compatible with available supplies in the countries of origin and which is compatible also with the dollar position in the United States. Honourable Members can, I think, look forward with confidence to the progressive lessening of the restrictions on imports during the next twelve months.

One final point, Sir, the Honourable Member for the Colony Division referred to the importation of impure whisky. I have not heard of any complaints about impure whisky being imported into this country but perhaps if the Honourable Member would produce some samples we would then decide whether the whisky was impure or not.

His Excellency :

As it is now nearly half-past four, Council will adjourn until ten o'clock tomorrow morning.

Council adjourned at 4.20 p.m. until 10 a.m. on Friday the 22nd of March.

Commissary appointed in 1750, you were elected to office on January the 25th of 1750
 following manner.

It is to wit hereby published from Council well advised with full consent
The proceedings :

Wherein respecting the affairs and interests of our
of the aforementioned Province, we did direct some copies to be sent them
concerning the said affairs, being understood into their respective parishes
relating to the redemption of Indians, which we have not heard of since
that they being for the Procurement thereof for the said Province

Debates in the Legislative Council of Nigeria

Friday, 22nd March, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Friday, the 22nd of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.

- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Director of Agriculture,
The Honourable A. G. Beattie.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

- The Member for Calabar,——
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The Member for Shipping,
The Honourable G. H. Avezathie, C.M.G.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable J. Ogboru.
- The First Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo
- The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.
- The Member for the Ijebu Division,
The Honourable T. A. Odutola.
- The Second Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.
- The Honourable E. W. Cannell.
- The Third Lagos Member,
The Honourable A. Adedoyin.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable G. F. T. Colby,
Administrative Secretary.
- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.
- The Honourable W. B. Dare,
Commissioner of Income Tax.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

- The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Senior Resident, Ilorin Province,
Captain the Honourable J. P. Smith.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning.
- The Honourable E. A. Carr,
Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 21st of March having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 10-12 by the Honourable the Member for the Ondo Division, Nos. 30, 34 by the Honourable the Member for Calabar, Nos. 35, 39, 42-50, 59, 64, 68, 70-73, 75, 79, 89-91, 93-94 by the Honourable the Second Lagos Member, No. 102 by the Honourable the Member for the Oyo Division, Nos. 114-116 by the Honourable the Member for the Rivers Division, No. 117 by the Honourable the First Lagos Member, Nos. 118-120 by the Honourable the Member for the Ibibio Division are not yet ready.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

37. To ask the Honourable the Chief Secretary to the Government whether, in consideration of our eighty-four years' British connection administration, education and civilization, together with ninety-three years Missionary work in this Colony, Government will not now consider it advisable to establish a proper Municipality within the Municipal Area of Lagos in place of the present institution known as The Lagos Town Council, as a trial for five years towards progressive government so as to synchronize with the inauguration in the year 1947 of the New Constitution for Nigeria?

Answer—

The Hon. the Chief Secretary to the Government:

The Hon. Member is referred to paragraph 19 of Sessional Paper No. 4 of 1945 (Political and Constitutional Future of Nigeria) which reads as follows:—

“Lagos itself, comprising its present town limits divided into urban and suburban areas with a population of about 210,000, would become a Municipality with extensive powers. The rural area of the Colony, with a population of about 200,000, would remain directly under the Legislative Council and would continue to be administered by a Commissioner, three District Officers and Native Authorities. Departmental activities in the Colony would remain as at present organized. The Colony budget, a small matter if the municipal area is excluded, would form part of the central estimates. The Lagos municipal budget would form an appendix to the central estimates like the regional budgets, only a block grant of such subsidy as might be considered suitable being included in the body of the central estimates.”

99. *Withdrawn.*

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

I would first like to say, Sir, how much one has been impressed by the anxiety of Honourable Members on the other side to get ahead with Development work and all of the various things associated with the Development Plan. There is no less impatience on the Government side but, as Honourable Members will realise a ten-year plan cannot be put into effect in one year. We are still

waiting for a lot of the staff, materials and equipment that will be needed to implement the Plan. As pointed out earlier in this debate there is provision in the Estimates before Council of over £3,000,000 for Development and that, if we can accomplish it, will be a very appreciable piece of work for one year. I therefore must ask Honourable Members for as much patience as possible; it is appreciated how much all desire to make progress with the Plan.

Turning to the Honourable Member for the Cameroons—with his spate of demands from his Provincial Development Committee—I fear that we shall not be able to do all those things at once but, in any case, they should be processed through the Area Development Committee in order that items may be given proper priority in relation to other works which have to be done. I can assure him that Government is as interested in the Cameroons as in any other Province in Nigeria and we shall do our utmost to assist in getting things improved in that Mandated Territory. He mentioned the question of loans to farmers. That is a matter which will be taken up very shortly by the newly appointed Nigerian Local Development Board, which has just been appointed by Your Excellency, under the terms of the Ordinance which was passed at the last session of the Council. In that respect I would like to mention that Your Excellency has considered it wise and desirable to appoint that Board with a substantial unofficial majority with a view to members of the Nigerian community taking an active part in its work and with the hope that they will stimulate—as the result of serving on that Board—the desire and action amongst the people in the Protectorate and Colony to take on local responsibility for local schemes of development.

It is my duty to reply to the comments which have been made on the Posts and Telegraphs Department. I think we have all suffered from the present short-comings of that Department and I am quite convinced that the Postmaster-General is fully alive to the fact that there are many things which need to be done in that Department and many inefficiencies which need to be overcome. There is no lack of desire on the part of the Head of that Department to put things on a first-class basis but unfortunately the whole Department is suffering from a long period of shortage of staff, reduction of establishment and the impossibility of getting supplies. To give one example, a major piece of telephone equipment which has been on order since 1942 has not yet been delivered and, although further pressure is being brought to bear on the manufacturers, they still can give no date for its delivery. That is a piece of equipment to improve the original trunk sets of the Telephones and Telegraph section. During the war the wiring equipment at the Exchanges has suffered from the lack of necessary replacement parts, plugs and things of that sort, which has made it impossible to keep the equipment at as high a standard of efficiency as is

desirable and wished for by the Head of the Department. On top of that the shortage of highly technical staff has made it impossible to give the African technicians the full training which is desired, consequently they, in turn, are not able to give as high a standard of efficiency as they would have done if the staff had been there to give them complete training. All these things, it is hoped, will be overcome when more staff is obtained. Supplies are also coming through but, unfortunately, not always as they are wanted. For instance wire may come through but if the insulators do not come with it the wire can only be put into store until the other bits and pieces come along.

In regard to air mail letters, the Postmaster-General is taking the matter up very seriously. I am now referring to overseas mail—but he assures me that there is no delay in letters leaving Lagos. It is true that the B.O.A.C. service which takes the mails is sometimes a little spasmodic and not up to time but the Postmaster-General assures me that there is no delay at this end in despatch or when the letters are received. Just where the difficulties are arising it is not quite clear but he is going into the matter.

The same applies to the internal air service. Very often letters are posted late and in many cases, such as for Port Harcourt, the mail has to be made up very early in the morning in order to be put on the plane which leaves about 10 a.m. No doubt there are some justifiable complaints but the Postmaster-General is hoping, as time goes on, to get the machinery going more efficiently. The delay in regard to letters is again largely because it has not been possible to give the staff the full training they require and because the Department have been unable to get modern sorting equipment, which they now have prospects of getting. In order to improve the situation the Postmaster-General has persuaded Government to put in the draft Estimates provision for what are known as Postal Inspectors. These men will be coming from the British Post Office; they will come out here and work with the Africans and demonstrate to them modern methods of sorting and clearing mail.

The delays with telephones and telegrams is partly due to the equipment situation but also there is a tendency amongst the people to use the telephones and telegrams more than before the war and that coupled with the pressure and congestion on the lines as the result of the war has made it impossible for a really good service to be provided. Equipment is on order for the improvement of the lines—particularly the trunk lines out of Lagos and we must hope that within the next couple of years the situation will improve considerably. Incidentally it is intended, as soon as we can get the plant and equipment, to accelerate the Development Plan in order to instal telegraph and telephone facilities on as wide a basis as possible. One place which was mentioned is on the Western Provinces first priority list and while it is not likely that it will be attended to this year, because as I say we have not the equip-

ment, it is hoped that it will not be later than 1948 before it is connected. I am sorry if Honourable Members think that an unsatisfactory reply but as I have already stated there is equipment which has been on order since 1942 and not yet delivered and it is extremely difficult to get equipment from the United Kingdom. There is a very large amount of repair work to be done in England and we must accept such share of the equipment available as can be spared to us.

One other matter raised in connection with the Post Office was the Savings Bank. The point which was raised by one member that passbooks have a number and a name but the ledger only records the number is not altogether correct. The ledgers have the number and the name alongside but, because of the shortage of staff, the Post Office has never been able to assemble an alphabetical list or index of the names. Therefore, if a passbook is lost and the number is not known it may take months of searching to find the name. It is not a very satisfactory situation but there is not much hope of remedying it immediately. Incidentally it is the same system as is used by the General Post Office in England.

Several Members raised the question of industries. I am glad to inform Honourable Members that a brewery will be erected before very long but not by Government.

The Ikot Ekpene raffia industry has had the attention of the Adviser of Rural Development for some time and through his activities and the assistance of one of the firms action has been taken with regard to the export of floor coverings and other articles to the United Kingdom. For some unknown reason in spite of the arrangements which have been made with the Board of Trade, the Board has not yet issued import licences for the United Kingdom but we have a telegram outstanding with the Secretary of State on the point and we are awaiting his reply. That industry is being fostered and now that the Textile Expert has been appointed to the Department of Commerce and Industries it will receive even more help than previously. I should like at this stage to mention the very excellent work which has been done by a lady who is the wife of a District Officer in connection with that industry and who has helped to create the improved situation which has now been reached. A great deal of the credit is due to that lady.

In regard to industries generally, it is Government's intention to foster those industries which give promise of giving reasonable practical results. Industrialisation is a very nice word, it conjures up pictures of smoking chimneys and lots of money but it is not exactly an unmixed blessing and we must ensure that industrialisation does not come about and bring with it disadvantages to our peasant industries. It is the intention of Government to foster these peasant industries to the full and wherever necessary to foster other industrial developments that are of benefit to the country

generally. The Nigerian Local Development Board has been set up for the purpose of giving assistance to those cases.

Reference was made to the Fisheries Development in the Creeks. That is very fully recognized as a most desirable development and it is provided for in the Development Plan. At the moment we are awaiting the arrival of some staff which I think is probably quite imminent and the provision of certain equipment.

Reference was made to the question of the Lagos electricity supply being handed over to the Lagos Town Council. I would remind Honourable Members that at the last session they endorsed the proposal that all electricity undertakings now owned by Government or to be erected under the Development Plan should be absorbed into a Government owned Electricity Corporation. That will be the fate of the Lagos electricity undertaking and it is not intended to hand it over to the Lagos Town Council—even if the Town Council wanted it.

Several Honourable Members, Sir, referred to the question of municipalities and town planning schemes and I have been ordered to state that it is the policy of Government to foster municipal responsibility and development in those places which are suitable for it, provided that the people living in those towns are prepared to take their proper responsibility in connection with the development of their community. That responsibility does not merely mean the responsibility of planning and doing things but also financial responsibility; particularly does this apply to the question of town planning schemes. If people wish to live in towns and have improvements they must be prepared to pay for them. That does not mean that some assistance will not be given by Government and the Colonial Development and Welfare Vote where improvements are intended for the poorer people but town planning schemes will not be subsidised by Government to provide improved facilities and amenities for the better-off people who can afford to pay their proper contribution.

Neither are the towns to be developed unless those people who obtain their living there and commercial firms are prepared to pay their proper share towards capital works, provision of housing and the demand for adequate roads. Therefore, any schemes which are put forward for the improvement and development of towns must be based upon a proper businesslike foundation and the people must show that they are willing to accept the burden. What is the alternative? That, Government should pay. What is Government, particularly when it comes to finance? It is the agency for redistribution of the money which is taken as taxes from both the men who live in the towns and in the bush. But the man in the bush does not want to pay and should not pay for the improvements in the towns otherwise he would be subsidising the people living in the towns to give them amenities which he cannot enjoy. Such a

principle Government is not prepared to allow to be used in the development of the towns. The towns must pay their own way subject to a reasonable amount of capital assistance with the developments which are required for the poorer classes.

There are two towns in the Eastern Provinces which at present are showing signs of desire for Municipal Government and town planning schemes and I believe they will be mentioned at a later stage in this debate.

This now brings me to the question of Lagos and land acquisition. The acquisition of land under the Town and Country Planning Ordinance is not acquisition by Government as such, it is the acquisition by an Authority which is representative of the people in the district. Honourable Members have had it fully explained as to the ultimate use of land acquired under such schemes when the Ordinance was discussed at the last session of Council. Where land is to be redistributed it will normally be done with a similar type of title to that which existed before it was requisitioned but that does not, however, necessarily preclude an Authority from letting land on a leasehold basis in order that it may come back for use by the Authority at a later stage. The point is that town planning is done for the purposes of the public good, it is not being done in order to improve land and provide building land merely for the sake of improving the capital value for the gentleman who happens originally to be in occupation. Town planning is being done for the benefit of the whole community—that is the position, particularly in Lagos.

A great deal has been said about the original owners of the land. After all the majority of the land in this country was really held under a form of trusteeship in which the chief of the family, clan or tribe during his tenure of office held the land on behalf of the tribe and it succeeded from the trusteeship of one chief to the next one. He did not own the land personally, it was owned by the family, tribe or clan and that position has always been recognized and it is normally the clan, tribe, group of people or whatever it may be who will get the benefit of the compensation money when the land is acquired.

Lagos itself I imagine, in those dark ages of which the Honourable the Second Member for Lagos was speaking the other day, was very much of a swamp and the tribe who lived here probably did not think the land was worth very much. Actually the appreciation of the value of land in Lagos has arisen entirely through European colonization and the influence of European trade and administration. Therefore, the original owners have, over a period of years, benefitted very considerably from this and the time has come when Lagos has reached the stage of a national responsibility. It is the capital city of Nigeria and in that respect it has to be dealt with from the point of view of the general public interest.

After all, how has the land value in Lagos appreciated? Purely and simply by the development of trade, and by administration and expenditure of the money which is commonly known as Government money and which comes largely from the man in the bush. The man in the bush normally pays more tax than the man in Lagos and draws less advantages than the Lagos man. The Johnson Bridge is one example of benefits derived in this way. Who paid for it? The landowners and chiefs of Lagos may have contributed some small something indirectly but that bridge has been paid for mainly by the money produced from the Protectorate. So why, in these circumstances, should there be any objection to Lagos land being brought into public use—I mean it in the best sense. Town planning in Lagos is a matter of public interest and the rights and privileges of individuals must give way to the demands and needs of the public as a whole. It is, therefore, the desire and intention of Government to maintain to retain and expand the leasehold situation in Lagos. That means that land acquired in Lagos will be leased and not resold. It is not the intention of Government that public money subscribed from all over Nigeria and from the British taxpayer should be used to appreciate land values to provide speculative profits to individuals. I gather that some of the chiefs of Lagos claim that they have a freehold interest and that the traditional tribal arrangements in Lagos are not the same as those in most of the Yoruba country. If that is the case they have no complaint to make if the land is requisitioned and they are paid adequate compensation. They will have been dealt with as any other citizen who has a piece of land which is acquired and they will receive a fair price.

I put it to Honourable Members, is it right in a congested area such as Lagos, where development is essential for the good of the poorer man, that when developments have been made the land should be handed back for the making of speculative profits by landowners who, in many cases, have been bleeding the poorer people for years by charging them outrageous rents for hovels? The landowners in Lagos have done nothing to improve Lagos. They have put in no roads and have made no efforts to improve the situation, so they cannot expect any special consideration when work is to be done for the public good.

There are certain areas which have been acquired and are going to be used for town planning in Lagos where it is recognized that the people who owned that land require to have a place to live. It is the intention of Government in these particular cases to reserve special places of reasonable size for the benefit of those people who are being disturbed. They will then get the compensation for the requisitioned land and with that will be able to build themselves decent homes on that part of the planned area in which they will be leased these special plots which will be reserved for them.

I would assure Honourable Members that Government would like to see planning work done by other people, that is to say by private enterprise. There is plenty of land immediately outside of Lagos which could very well be developed. Government would be quite prepared to give all the necessary advice and assist those landowners who wish to develop land themselves but they will have to pay for the development and the drainage of it. They will have to pay for the reclamation and the putting in of roads, which is the normal thing in any other country. When any piece of land is developed in England, the Town Council comes in and puts in a road and as soon as a building goes up there is a road charge which has to be paid by the person who uses or owns that plot. Such improvements are not done gratuitously and the same position must apply in any developments which private enterprise wishes to carry out here.

Finally the question was raised about giving some publicity to the town planning scheme of Lagos. There is not a town planning scheme of Lagos which has yet been approved by Government and it is unlikely that a final scheme will be approved for some time. There is a special Commission sitting to investigate certain aspects of the development of Lagos and it is true that a tentative plan was produced by the Town Planning Officer. However that was too expensive for acceptance by Government or Lagos Town Council or the Lagos Executive Development Board. If that plan were followed it would result in I think a third of the Development money which we have available being poured into Lagos Island. I wonder what the Honourable Members of the Council from the Protectorate would have to say to that. Therefore, it is not intended to give any publicity to this particular plan as it has not been approved, neither in any case are we going to give any opportunity, if we can avoid it, of allowing landowners an opportunity of looking at any plan in the hope of their making a speculative profit.

The Hon. the Director of Medical Services :

Your Excellency, I very greatly appreciate the friendly and understanding spirit in which Honourable Members have commented on the services of my Department and on the plans for expansion and development of the medical services which have been outlined in the programme for the next ten years. I am grateful for the constructive criticisms which have been made. How great is the leeway which has to be made up in the medical services of this country can be judged from the fact that during the decade ending 1940 except for a small and inadequate hospital at Akure—the deficiencies of which the Honourable Member for Ondo well knows—and a maternity section at Calabar—in these ten years preceding the war not a single new Government hospital was constructed in Nigeria. The problem of rapid expansion is now faced with a lack of buildings and of trained staff and its progress

is dependent upon the rapidity with which these deficiencies can be remedied.

My colleague the Honourable Second Lagos Member has expressed his general agreement from a professional point of view with the plans which have been made, but in keeping with the strong tendency which he evinced in his speech to dwell on ancient history he could not refrain from expressing his disapproval of the Private Hospitals Ordinance which after examination by a Select Committee was passed unanimously by this House a year ago. He omitted to state that similar legislation involving supervisory powers was introduced in Great Britain twenty years ago without opposition either from the medical profession or the General Medical Council before which body he proposes to arraign me for unprofessional conduct. In a fairly long and varied career I have so far avoided such charges and with the assistance of my colleagues and no doubt the Honourable Member himself I have confidence in doing so in future. The Ordinance provides for the fullest consultation with professional bodies in each stage of its application. At this very moment these consultations are taking place. The "absolute discretion" which the Honourable Member dislikes being granted to the Director of Medical Services in one particular clause refers not to the imposition of hard and unreasonable conditions on those who operate private hospitals but on relaxations of conditions having regard to the difficulties which are still to be faced in this country in attaining those standards which are accepted and recognised elsewhere. It is preferable that the ultimate responsibility for such relaxations should rest on the Director rather than on a Committee of Private Practitioners who might find themselves in the invidious position of refusing concessions to a colleague who might be a competitor with themselves in the field of private practice.

I welcome very much the constructive spirit in which the Honourable Member for Ondo pressed for the speeding up our building programme for new and better hospitals and I am sure that he will use his influence in that direction in the provincial development committee of which he is a member. The Department is entirely in support of his plea that pending the construction of these new hospitals there should be organised an ambulance service for the transport of sick to existing hospitals. Provision is made in the draft development estimates for both travelling medical officers and vehicles. The large sum of £16,000 has been set aside for the purchase of ambulances next year and as these are forthcoming the needs of Ondo Province will not be forgotten. The Honourable Member's desire for more Government dentists is a most reasonable one. There are at present only two dentists employed by Government but there are vacancies for five more and our latest information is that there is every prospect of these vacancies being filled

at an early date. In fact one new appointment has just been made. In this connection the Department would welcome applications from Africans both men and women for scholarships to study dentistry in the United Kingdom. Strangely enough no such applications have yet been received and yet there is, as the Honourable Member states, a very wide field for both public and private service in this profession in Nigeria.

As to the improvement of the conditions of service for nurses we are in agreement with the Honourable Member. Most of his suggestions are covered by the recommendations of Lord Rushcliffe's Committee on Colonial Nursing which are at present under examination by this Government. Our first step so far as better living accommodation is concerned is the provision of hostel accommodation for probationer nurses and midwives during their period of training. The necessary funds for these training centres appear in the draft development estimates for 1946-47.

I would like to take the opportunity of removing a misconception which appears to exist in the Honourable Member's mind regarding the title of sister in the Government Nursing Service. There is nothing of racial discrimination in this title which is merely a rank in the Service. In England we have probationer nurses, trained nurses, staff nurses, charge nurses, theatre nurses, etc., then we have ward sisters, theatre sisters, sister tutors and so on, then superintendents, assistant matrons, and matrons. In Nigeria we have much the same and the sisters grade is of course fully open to qualified African women. One such is already employed. There are several youngwomen assisted by scholarships who are at present obtaining the special experience and training which will fit them one day for such grading.

I appreciated the Honourable Member's common sense references to the so called European hospitals and his views on the policy for the future. He will be relieved to learn that there has been no institution of this type built during the last fifteen years and no provision has been made in the development estimates for such a purpose. It is not possible of course to turn the rather indifferent small nursing homes which exist at present under the name of European hospitals to a purpose for which they were never designed.

It is a pleasure to acknowledge the assistance which has been given by the Hospital Visiting Committee in Lagos which was created at the suggestion of the Honourable Member for the Colony. Its advice and co-operation has been of great assistance in improving the comfort of the patients and we are looking forward to the continued interest and co-operation of its members who have already given so willingly of their leisure time to serve on this Committee.

The Honourable Member for the Cameroons outlined a spacious plan for the development of medical services in the Cameroons. Of course such plans have our whole-hearted support but it is only right that the Honourable Member should remember that the needs of other parts of Nigeria must be given some precedence. It is not generally known and it may surprise the Honourable Member to learn that so far as hospital accommodation is concerned the Cameroons enjoys a higher proportion of hospital beds to the number of the population than any other part or division of Nigeria not excluding the Colony of Lagos.

I come last of all to the comments of the Honourable Member for Ibo. I believe very much indeed in his sincerity of purpose but I do feel that it is a little pathetic to listen to him seeking to imply that there are grounds for grievance where none in fact exist. So far as his reference to the filling of superior posts in my department is concerned I need only say that there is no one in the department who resents more bitterly the unsolicited testimonials of the Honourable Member than the African doctor to whom he was alluding and who was promoted a specialist not long ago. I think, Sir, I can let the matter rest there.

Your Excellency, in concluding I should like to repeat how much I appreciate the friendly and co-operative spirit in which the Honourable Members have offered criticisms and suggestions to my department in the services which it seeks to provide.

The Hon. the Commissioner of Police :

Your Excellency, I believe I am correct in saying that it is to the Gilbert and Sullivan Opera. "The Pirates of Penzance", that the world owes the origin of the expression, and the idea, that "A Policeman's Lot is Not a Happy One". In the short space of a few minutes on Monday morning, Sir, you rendered that idea out of date and incorrect as far as the Nigeria Police Force is concerned. By the alteration of one letter in that phrase we can present an up to date and correct picture as things are, and that is "A Policeman's Lot is *now* a Happy One". By Your Excellency's very generous tribute to the Force and your generous commendation of its work, and particularly by your reference to an upward revision of their salaries and conditions of service, you have put new heart into the men, particularly those of the lower ranks. This is something for which they have long, and I may add, Sir, patiently, waited, and I know your words will receive a very warm welcome. I have already taken an extract of what Your Excellency was good enough to say and have published it in our weekly Force Orders, and it has already gone out to every Police Station and Office throughout the country. I have specially asked Officers to ensure that every man of every rank is made aware of what Your Excellency said. I have pointed out to them that your known interest in the work, and play, of the Force and the

welfare of the men, and the very sympathetic consideration you have always given, Sir, to any representation which I may have made on their behalf, calls for their gratitude. I have said they can best show it by continuing to work with the same spirit of service and loyalty which has earned for them Your Excellency's present commendation. On behalf of every officer and man in the Force which I have the honour to command, Sir, I tender you my very deepest and sincere thanks.

The Honourable Member for Calabar asked for more Senior Officers. I am afraid my answer will be much the same as other Heads of Departments and that, Sir, is that we are suffering from severe shortage of staff. Now that there is no need for wartime security, and there is nothing to prevent my giving figures, I may say that the Police Force is under-officered by twenty-five per cent. This creates difficulties in any Department, and if I may say so, more than the usual number in a Police Force. As soon as we can get the bodies I promise that the Provinces, and incidentally the much abused Lagos, shall have their full quota.

The Honourable Member for the Ondo Division, Sir, amongst other points, raised the question of better uniforms or ceremonial uniforms. I am taking upon myself the responsibility of admitting that I do not consider our headgear is practical, but I do think the ordinary working kit is sensible and serviceable. Whether the Force should have another uniform for use on ceremonial occasions is a question for consideration, but I feel sure it would be of assistance, if Members on the other side of the House have views on this question, they would put them forward constructively with suggestions as to the form that uniform should take.

The Honourable Member for the Colony raised the question, and quoted a specific case, of stabbing which had occurred near his house on the night of the twenty-fourth/twenty-fifth of December and rather implied that had the Police at Ikeja been in possession of motor cycles the end of the case might have been different.

Well, Sir, I have gone into it and I do not think that possession of a motor cycle would have made any difference at all. It was a case of stabbing in which members of the Services were concerned. It occurred, as all these offences against the person usually do, on the spur of the moment, and, subsequently, the complainant, and his friend who was with him at the time the incident occurred, failed to, or were unwilling to, identify the accused at two identification parades which were held by the Police. I would, however, point out to the Honourable Member that the value of rapid transport and mobility for the Police is always to the forefront of our plans and if he will refer to this year's printed Estimates he will see that last year provision was made for eight motor cycles and twenty-nine vehicles all of which we now have. But there is still difficulty in obtaining motor vehicles and there

is no use putting them in the Estimates unless we can get them. As, however, supplies become more easy I for one am more than ready to see that the Police are given greater mobility by way of motor transport.

The same Honourable Member also raised the question of house-breaking and burglary in the Ikeja area. I regret to say he has very good grounds for his complaint. Since demobilization started there has been a serious increase in offences against property in that area. Unfortunately, although the Police have done their best, it has not yet been possible to hold it in check. I am not suggesting for an instant that this housebreaking and burglary is the work of soldiers. It is rather because the area is swamped, if I may say so, with undesirables and hangers-on who are attracted to that area because of the troops and the money they have while they are there. I can only say that the Police are doing their best and will continue to do all they can, and we can hope that when the cause is removed the effect will cease.

The Honourable Member for the Ibibio Division asked a question in connection with the Police Band. He suggested that there might be a Police Band in every province. But even if it were possible to overcome the difficulties of supervision and training, care and maintenance of instruments and so on, I think it would still be regarded as a luxury to have a band maintained at Government expense in each province of this vast territory, and as such I think would savour of the squandermania against which we have been warned. As regards the Lagos Band going on tour, that has been examined on more than one occasion but there are many difficulties in the way of transport, not only of the men themselves but of the instruments. The Band is over forty strong and in these days, particularly, the movement of these men from place to place is a big undertaking. I make so bold to say that if they played at Calabar there would be an instant demand for them to play at Port Harcourt, Enugu, Jos and so on and there would be no end to their touring, and I feel that in present circumstances at any rate it is not a practical proposition for them to tour. I might mention in passing, in connection with the Sports competitors who came down to Lagos from the various provinces, that although in only small parties of six and eight, it took us nearly three weeks to get some of them back to their province.

A number of Members, Sir, raised the question of pilferage on the Railway and as my Honourable colleague behind has said, the General Manager will be afforded an opportunity of dealing with that when he appears before the Select Committee, but from the Police angle I would like to tell the Honourable Members that if they will refer to the Memorandum on the Estimates they will see that not only is there an addition to the rank and file of the Police already employed on Railway Police duties but a Superintendent

Other comments were made, Your Excellency, about the increase of the rates of tax which are proposed by another Bill. These comments will be fully considered at the Committee stage of that Bill, but I should like to take this opportunity whilst his observations are fresh in the minds of Honourable Members, to thank the Honourable Member for Port Harcourt for replying, so much more effectively than I, to those Honourable Members who have stated that in their opinion this is not an opportune moment at which to increase the rate of Income Tax. He said that as sure as there is a boom now there will be a slump, and such a slump as the world has never seen before. This may well be true and I ask Honourable Members is it more opportune to increase the Tax on boom profits, or to delay and increase it on slump losses?

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I wish to thank the Reverend and Honourable Member for Calabar and the Honourable E. W. Cannell for the remarks they made in this Council on the efficiency of the Employment Exchange. As the Head of the Department concerned I very much appreciate those remarks, and I know that the officers concerned appreciate them just as much as I do myself.

As regards the question of the establishment of smaller exchanges in the Provinces, a point which was also brought up by the Honourable Member for the Ibibio Division, I would inform them that the whole question is under consideration but as the Honourable Members will see from the third page of the Memorandum on the Draft Estimates, arrangements are already being made to establish three exchanges in the Western Provinces.

The Reverend and Honourable Member for Egba Division asked Government to supply labour to his cocoa farm. The Lagos Exchange has, in fact, attempted to do this in the past but it must be borne in mind that Lagos labour is in the main industrially trained and is not suitable for Agricultural work on the cocoa farms. In addition, wages in Lagos are considerably higher than they are outside and this creates another difficulty, as the men are not prepared to leave Lagos for the smaller wages which they get on the farms. But when we establish ourselves in the agricultural areas I hope that we will be able to supply all the labour which is required in the cocoa growing areas.

Another Honourable Member, I think again the Honourable Member for Calabar, referred to the conditions under which married women are employed in Government service. I fully realise that this is not strictly a question for me to answer or speak about in this Council, but I cannot refrain from inviting the Honourable Member's attention to Chapter 9 of the New Labour Code where generous provision for maternity and other benefits

is made for women employed in industry. This is, I may point out, a complete innovation in the legislation of this country and I hope it will go far to reassure the Honourable Member.

One final point, Sir. The Honourable the Second Member for Lagos referred to wage rates and conditions of service and said that minimum wage legislation was required. I would refer him to Ordinance 40 of 1943, the provisions of which are repeated in Chapter 13 of the New Labour Code; that is the legislation which he desires.

The Hon. N. S. Clouston, O.B.E. (Commissioner of Lands and Director of Surveys):

Your Excellency, very few questions have been asked about the Land and Survey Department by the Honourable Unofficial Members in their speeches this year. I would like to tell the Honourable Members of an experiment which has been made this year at the request of His Honour the Chief Commissioner, Northern Provinces. A class of Native Administration Settlement Officer has been given a year's training in elementary surveying. The object was not to turn out fully qualified surveyors—the young men have not attained a sufficiently high school standard for that—the object was to train them in the more simple operations which would enable them to make plans of villages sufficiently accurately that the plans could be used by officers as a basis for improved lay-outs of the villages. They were also taught how to lay-out on the ground simple village and farm lay-outs and to do levelling which would be useful for drainage and road work. The first class has completed its year's training and we are watching with interest to see if the results are satisfactory. His Honour the Chief Commissioner, is at any rate hopeful enough to have asked for another class to be started this year.

His Honour the Chief Commissioner, Western Provinces, has asked for similar instructional work to be undertaken in his area. I regret that shortage of staff aggravated by recent casualties has made it impossible for me to arrange this. I hope that such a training course will be started as soon as staff conditions permit as I agree that a great deal of useful work could be done by such men working under their own Native Administrations.

Sir, I was gratified indeed at the kind appreciation of the work done in the Department expressed at the beginning of his speech by the Honourable Member for the Colony Division. The Honourable Member specially mentioned the making of maps, and I am sure that he realised that there is a great deal of intricate technical work done in the Department which is not so visible to a visitor to the Headquarters Office. As regards the map drawings and reproduction I can confidently say that the work of the Nigerian Land and Survey Department staff is second to none in any Colony in the British

and an Assistant Superintendent are to be provided for full-time duties on the Railway, to travel up and down the line and supervise the Police on duty, supervise investigations and carry out investigations themselves, and both the General Manager and I hope that this will result in a very much improved situation.

The question of Motor Transport Control Posts, also linked with any comments on the Police, have been dealt with by my same colleague, and I would only say that as far as the Police are concerned every officer and every man will be more than delighted when this control comes to an end.

As far as I am able to trace, Your Excellency, this is the first occasion on which the Head of the Force has not had a written question from the Unofficial Members to answer at the Budget Session. Indeed, Sir, this has been a memorable session for the Nigeria Police Force. I have been almost overwhelmed by the very cordial endorsements from my friends opposite of what Your Excellency was so good as to say about the Police, and I thank them all on behalf of the Force and of myself.

With Your Excellency's permission, I would like to take this opportunity—which is probably the last I shall have—of publicly thanking my Honourable friends opposite for the very generous treatment and sympathetic consideration they have always given to matters affecting the Police Force, whether on the floor of this House or in the more secluded atmosphere of the Select Committee on the Estimates, or the Standing Committee on Finance. Their attitude to questions affecting the Force has contributed in no small degree, Sir, to the building up of the spirit of content which now prevails within the Force. I hope they will long continue to give the Force their support.

Finally, Sir, I would make an earnest appeal to the Honourable Members opposite, and I extend this appeal to the Press, to advise and educate their people to work with and to help the Police. As Your Excellency has said, the Police guard the properties and the families of the public. The public should in their own interests help the Police in their task. It is an unassailable truth, Sir, known throughout the world, that without the active help and co-operation of the public no Police Force, however efficient, however zealous, can be established on a permanently successful basis.

Last of all, Sir, I would refer again to your Speech. You concluded by saying that you had faith in our future. If I may, Sir, without disrespect to you, I should like to copy Your Excellency's expression and say I have faith in the future of our Police Force. With their prestige standing high in the estimation of Government and of the people's representatives and of the people themselves, with better housing assured to them, with better pay very nearly arrived, they will go forward, Sir, with an efficiency, a confidence and a strength they have never known before.

The Hon. W. B. Dare (Commissioner of Income Tax):

Your Excellency, during the course of this debate no criticisms have been made of the Income Tax Department as a Department, and in view of the sentiments which are generally held towards my Department, I regard this absence of criticism as the highest commendation we could expect to receive.

Comments have however been made upon some other matters which I feel I must answer. The Honourable Member for the Ibo Division stated when referring to the grant which has been made to Nigeria under the Colonial Welfare and Development Act, that he did not regard this as a free gift. I think he said "where you invest so you will reap a dividend. With the activities arising from development, Nigeria will be able to buy more from Britain, and the British Taxpayer will get more out of this so that they will receive more than the twenty-three millions granted." If this opinion is generally held it can only be because my observations, when introducing the Income Tax (Amendment) Bill, on the proposed double taxation agreement with the United Kingdom have either not been fully understood or were not made sufficiently clear. His Excellency the Governor of the Gold Coast, when opening the recent Legislative Council Session at Accra said on the 13th March in announcing this proposed agreement that the effect of the agreement would be that the Colonial Governments could increase their rate of Income Tax to 9s in the £ and they would then receive the whole of the tax upon profits derived from trading within the Colony by Companies incorporated in Great Britain whilst Great Britain would receive nothing.

The proposed increase in Tax from 5s to 7s 6d will on completion of the agreement, mean that this Colonial Government will be receiving 7s 6d in the £ and the British Government 1s 6d in the £ of these profits, and if the United Kingdom rate is reduced as it is generally hoped in Great Britain it will be, the reduction will affect only the United Kingdom rates and will further reduce the amount which the United Kingdom will receive in respect of the profits of the Companies incorporated in Great Britain. Nigerian Tax will however not be affected. I think it will be a very considerable time before taxpayers in Great Britain with the rate of tax at 1s 6d — which will probably be reduced, will receive from those imports an amount of 23 millions. The result of the double taxation arrangements proposed is in fact a free gift, and I repeat, as I said before, a free gift in perpetuity to the Colony, and it is a free gift of the very dividends to which the Honourable Member referred. I think it is regrettable that what is in fact a series of actions of a very generous nature should be misunderstood and still more regrettable that these actions should be falsely attributed to a cash profit motive.

Colonial Empire. In this connection I would like to mention for the information of Honourable Members that the staff of the Department will very soon have to undertake map production from aerial photographs. That work has never been done in Nigeria, but I am confident that my staff will master the technique. I also believe that Nigeria is the only Colony that has undertaken the production of its own topographical maps from aerial photographs.

The Honourable Member for the Ijebu Division complained about the fact that the scrutiny of Licensed Surveyors' plans in the Land and Survey Department has been discontinued. The scrutiny which it is possible to give to a survey plan in an office cannot possibly assure that the survey has been done correctly, or that the plan is a correct representation of the land surveyed. That can only be done by field work. All that can be done is to say that there is nothing inconsistent in the plan itself. In fact such a scrutiny could only expose gross errors which the Surveyor is quite capable of finding out for himself. It is not even work which requires the services of a qualified surveyor any more than the adding up of a column of figures in a cash book does not require the services of a Chartered Accountant. While it was done the Licensed Surveyor in fact obtained the services of fully qualified Government Surveyors to do a simple scrutiny of their plans which they should do themselves, or employ an assistant, or pupil surveyor to do for them.

With the increased survey requirements caused by the Development programme Government survey staff cannot be spared for that work. Further if I was practising as a fully qualified Licensed Surveyor I would feel insulted at the idea of my plans being examined by the Government Survey Department before I issued them to my clients. All plans attached to Title Deeds whether of Crown Land, or of privately owned land are charted. The charting does not in any way add to the strength of the Title, but is useful for reference in the Department.

I do not think there is anything more for me to say.

The Hon. the Director of Agriculture :

Your Excellency, several Honourable Members have referred to the needs of Agricultural communities. One has suggested in general terms that there should be subsidies for Agriculture, and another has advocated that the Government should arrange provision of labour for farmers. I am afraid there is little I can do about the provision of labour. My friend, the Honourable Commissioner of Labour has already spoken on this point. The best farmers I know are well capable of finding or providing the labour they need. I endorse, however, the hope expressed by my Honourable friend that he may be able to assist Cocoa farmers in the future. Subsidies are sometimes justified in wartime for the purpose of encouraging maximum production of a special

commodity, but the adoption of such measures in normal times is generally open to many objections.

The production of Rubber was subsidised for a period during the war, and Honourable Members will readily recognise that this was a justifiable step. Government recognises that the payment of special prices for commodities of high quality should be encouraged, and this is undoubtedly the healthiest and best form of subsidy. In pursuance of this principle enhanced prices are regularly paid by Commercial firms for high quality in Palm Oil, Cocoa, chillies and other exportable commodities.

I should like to refer to a suggestion made by one Honourable Member—a suggestion which I hear frequently—that greater effort should be made by the Agriculture Department to convey to the people more details of the results of its efforts. This I regard as an entirely justifiable suggestion, and one which I may say every effort is being made to implement.

In your Excellency's address you mentioned the serious reduction in trained Agricultural staff which took place during last year. The net loss of as many as seven trained European Agricultural Officers, and difficulties brought about by transport shortage, contributed in no small measure to the reduced touring which Agricultural Officers have been able to do. It is my earnest hope that these conditions will soon be remedied. Every effort is being made to recruit additional staff, and to provide all officers with the transport necessary to enable them to carry out their duties. At best these improvements can only be gradual, and it is hoped that Honourable Members will be patient in the knowledge that all that can be done will be done. My hope is that the arrival of Development Officers possessing some agricultural experience will enable me to relieve more highly trained officers of some of their station duties, and thus permit them to spend more time on tour than they have formerly been able to do.

Several critics both inside and outside this Honourable House, have expressed the view that too much attention is paid to export crops, including permanent crops, and not sufficient attention to the production of locally consumed food crops. This is an understandable view at a time like this, when all over the world the chief topic of conversation is food shortage. The factors which have led to Nigerian shortages are not far to seek. During the war many able-bodied farmers have been absent from Nigeria, others have been engaged on military and mining duties in this country, and the burden of production has fallen on those left behind on the farms. These however do not represent the only factors which have led to present day shortages. In recent years a rapid increase in population has taken place in many parts of the country. This factor alone has proved a very considerable one, in bringing about increased pressure on the productivity of available land. It is particularly

noticeable in certain parts of the Eastern Provinces. Unfortunately increases in population are not confined to areas of fertile and productive land.

I am sure Honourable Members are acquainted with the difficulties which confront them when they endeavour to establish a good garden in Lagos sand. Vast areas of the Eastern Provinces consist of soil which we know as Benin acid sand. These soils which have certain similarities with Lagos sand, do not possess the reserve of fertility which is inherent in other parts of the country in the form of valuable fertility bearing rock, which by constant disintegration continues to provide an unending source of plant food. Restoration of fertility in the Eastern Provinces is one of the major concerns of officers of the Agricultural Department. The courses open to the people are unfortunately limited. The reserves of food in the soil are so low in some parts that after clearing of the bush, a food crop such as maize, or cassava can be grown only for one or two years before the soil is completely exhausted. The land has then to be rested by allowing it to revert to bush for several years. If this is not done the land may continue to produce a low food value crop such as Cassava for a few years, but deterioration in both soil and crop continues progressively. Sources of fertility, as I say, are limited. Farmyard manure is almost entirely unobtainable. Shortage of land is so acute that few farmers would be willing to set aside even a small part of their farms for the growing of a legume which could be turned into green manure. Indeed so low does fertility fall that in some areas a green manure crop could not be grown after one or two years of food cropping.

There is a gleam of hope, however, in this otherwise gloomy picture, for there still exists in the hands of the people a source of fertility which is not fully utilised. I refer to the use of compound sweepings which can profitably be used in the making of compost, together with all available forms of decaying vegetable matter, such as grass, leaves and other material. This means hard work, however, and it is remarkable how frequently can be found valuable sources of fertility which are left untouched. Remarkable results have been obtained in the use of lime on some of these acid soils, and steps are under way for extending experiments with a view to popularising the use of fertilisers, where good responses can be obtained.

At the Palm Oil Research Station in the Benin Province and at associated stations cultural and fertility experiments have been designed on a scale from which it is hoped ultimately to obtain specific answers to the Eastern Provinces problems. Government intends that there shall be provided for this station a team of the best young scientists which can be obtained. I have every confidence that both the short term and the long term findings of this station will amply repay the expenditure which is contemplated.

A good deal of progress has been made in the Eastern Provinces in the production of rice. This is also true of the Colony and Abeokuta, as well as in parts of the Northern Provinces. Increased quantities of rice seed are distributed annually by agricultural stations. Propaganda continues for the encouragement of farmers to make use of unused swamp lands, in the production of this valuable addition to their food supplies. The success which can be obtained in this direction is contingent upon the initiative and enterprise of the people. It entails hard work to prepare a crop from hitherto unused swamp land, but the high prices of the crop should amply repay the work involved.

The Honourable Third Lagos Member suggested an increase in the production of tobacco. Vast areas of tobacco are growing already, and I believe in sufficient quantities for the needs of the greater proportion of the population. In certain parts of the Oyo and Zaria Provinces special tobacco is grown for local manufacture and processing, and in this work assistance and advice are given by the Agricultural Department. But the consuming public smoke only a limited number of cigarettes made from locally grown tobacco. They still prefer cigarettes in which imported tobacco is incorporated.

The Students who went to Trinidad for training and who have been referred to by the Honourable First Lagos Member, the Honourable Member for the Ibo Division and the Venerable and Honourable Member for Ondo Division, have benefitted considerably from the training they received there. The fact that there were examination failures may be attributed to a number of circumstances. I am inclined to think that some were too old to benefit to full advantage from the lectures. Others had not the early training which alone could enable them to fully understand the work. However, two students who are members of the Department are at present in Trinidad, and it is intended to select a few more for training there this year. It is hoped that as educational facilities improve in this country there will be no need to send Students abroad for training in general agricultural subjects.

I am gratified to know that the Honourable Member for the Ibibio Division so well appreciates the work of the Agricultural Station at Umuahia that he would like to see its transfer to his Province. I think what he probably means is that he would like to see a new Agricultural Station established in the Calabar Province. An Agricultural Officer has recently been detailed for work there, and early establishment of an agricultural headquarters is contemplated. When that has been established, any suggestion he cares to make upon the working of that station will be taken fully into account.

The Reverend and Honourable Member for the Colony, and Honourable Member for the Warri Province drew attention to the present and future market for rubber. I should say that Officers in

my Department are only concerned now with the examination of parcels of rubber for export, and that I am not in a position to give any assurance upon the future market for this commodity.

Your Excellency, I share the impatience of many of my Honourable Friends that progress in the field of Agriculture seems to be so slow. I make no apology for the fact that experimental and field work has seemed to be unduly limited in some areas. This has doubtless been due to a large extent, to lack of available funds in the past, and to shortage of staff. These obstacles to progress seem likely now to be removed, and I look forward hopefully to the extension of the work of the Agricultural Department in the best interests of all the various farming communities.

The Hon. the Director of Public Works :

Your Excellency, a number of Honourable Members have shown a very live and helpful interest in the activities of my Department, an interest which I very much appreciate. From experience, Sir (and it is now nearly ten years since I first sat as a Member of this Council), it has often seemed in the years gone by that interest in departmental activities was confined to occasions when something had not gone quite right and there was an opportunity to administer a beating. The interest and assistance which is now shown is, therefore, the more appreciated.

As regards roads, a subject mentioned by most Honourable Members, many will have seen themselves that a start has already been made on the development programme and they will be interested to learn that by the 31st March some £84,000 will have been spent on that programme but I would still remind them of my remarks at the last meeting of this Council and that is not to expect too much too soon and that while the total for ten years is very impressive when it is split up into pounds per head per annum it is not.

The Honourable Member for the Ijebu Division and the Third Lagos Member expressed an understandable impatience with the delay in starting work on the Lagos-Ikorodu section of the Lagos, Benin and Ibadan roads. Unfortunately there have been difficulties over the acquisition of land at the Lagos end and an alteration is being made in the line to avoid acquiring a large number of houses. Nevertheless, we have been able to get on with other sections of the road and considerable work has been done on the Iperu-Ibadan section and at the Benin end and some preliminary work and inspection work is being done in the Ondo Province. Two Engineers, borrowed from the Crown Lands staff, went up last week to the Benin Province to start the surveys of the Osse and Siluko River bridges. It is also interesting to note that two Engineers from the staff of a firm of Consulting Engineers went at the same time to the Cross River to start the survey for the Cross River Bridge on the Ikom-Mamfe Road.

The Honourable Member for the Rivers Division mentioned the Sombriero Bridge. This has been transferred to the development programme and although a design has been prepared actual construction will depend on the degree of priority given by the Provincial and Area Development Committees of which he is a member.

The Honourable Members for Ijebu and Ibo mentioned defects in certain Native Administration roads, including one bridge that had collapsed. These roads do not come directly under the control of the Department but Provincial Engineers render all the assistance they possibly can, and on request, and if the Honourable Members would make contact with the Provincial Engineers and discuss such matters, I can assure them that it would be appreciated and they would be given all the assistance and information which is possible. There is a Provincial Engineer at every Provincial Headquarters.

The Venerable and Honourable Member for Ondo called for more and better roads. This was much appreciated and I have no doubt that in time all he has in mind will be done but it will take many many years; in fact to do all would hardly be possible in his lifetime or in mine. Expenditure on roads must bear some relationship to the volume of traffic using those roads, otherwise an uneconomic and unfair burden would be put on the taxpayers. The Venerable and Honourable Member suggested that the winding roads in the part of the country he comes from reflected very little credit on the abilities of the Engineers of those days. I can assure him that the reverse is the case. I know many of those roads well and almost every twist and turn in them, and the conditions under which those men worked: heavy forest, hills and the financial limitations imposed upon them demanded the exercise of a very considerable degree of engineering skill and ability.

The Reverend and Honourable Member for the Colony deplored the small progress which had been made with the building programme under Public Works Extraordinary but it will be recalled that, although the 1945-46 Estimates show some £900,000 the Memorandum made it quite clear that it was not intended to spend more than £600,000 of that amount and progress to that extent would have been made had it not been for the strike. As a result of the strike, not only did we lose six weeks work but the subsequent difficulties experienced by the Railway in handling stores for upcountry stations caused still further delay but we still anticipate that we will manage to spend nearly £500,000 under the Extraordinary Programme. As regards buildings another £57,000 under the Development Scheme will be spent this year.

The Honourable Members for Ibo and Ibibio again referred to the use of contract methods for construction and I can only repeat the assurance given on previous occasions that the fullest possible use is made of contract methods, compatible with efficiency and economy. The extent to which contract methods are used is considerable.

Regarding the distribution between African contractors and what the Honourable Member for Ibo calls foreigners, I imagine that the balance is very largely in favour of the African, and I will endeavour to produce figures for Lagos in time for the Select Committee.

The Honourable the Third Member for Lagos and also the Honourable Member for Ibo mentioned that there were no Africans in superior appointments in the Public Works Department. That is not quite so. There is an African Executive Engineer an Electrical Engineer and an Accountant. As regards the steps which have been taken towards Africanization of the staff, I think this will be seen from the comparison in the relative numbers of European and African Staff now and ten years ago, and even more so twenty years ago or say eighteen years ago when the European staff was nearly double what it is today and the African Technical Staff was only one-quarter. There again I will try to produce some figures for the Select Committee.

Two Honourable Members brought up the question of a new Legislative Council Chamber and I think I shall not be disclosing any secret if I tell them that Your Excellency had already thought of that well over twelve months ago and instructed that investigations should be made as to site and that the collection of information and data should be begun.

The Hon. the Acting Comptroller of Customs and Excise :

Your Excellency, In their speeches several Honourable Members have referred to matters concerning the Department of Customs and Excise. I am grateful not only to them but in particular to those who refrained from making any comments. The Reverend and Honourable Member for the Colony Division and the Honourable the Third Lagos Member referred to the condition of the Lagos sheds, and to the discomfort experienced by Officers of Customs and Excise when working in these sheds. The future of the Lagos Wharf is under consideration by Government, and I am afraid I can offer no alleviation of the discomfort suffered by a few officers until a decision is reached. The Honourable the First Lagos Member suggested that perhaps the discomfort was not confined to those who were unfortunate enough to work in the Customs sheds. I would also assure Honourable Members that everything that is possible is being done by the Police Force, as well as by my Department to reduce the pilfering which is taking place.

The Honourable the Third Lagos Member also raised the question of the issue of two suits of uniforms to Customs and Excise Officers, and to the necessity for the surrender of the old articles of uniform. An annual issue of three, not two, suits of uniform is made, and I think the Honourable Member will agree that as the uniform remains the property of Government and not the individual, no hardship

is inflicted by requiring the return of the old uniform, the proceeds from the sale of which is paid into general revenue.

The Honourable the Member for the Ibibio Division dealt with the examination of passengers' baggage at Calabar. I have no wish to cause unnecessary inconvenience to passengers who must of necessity embark on ships from Calabar, but I am willing to give his suggestion a trial only if I am satisfied that there is no risk of an increase in the evasion of export restrictions. If I understood the Honourable Member correctly, he also suggested that a reduction in the rate of duty on brandy would be effective in reducing smuggling. I am afraid, Sir, I am unable to follow his reasoning. If as a result of the decrease in duty the price of brandy were decreased, it is reasonable to assume that the price of the smuggled brandy would also be decreased, and it seems to me that there would then be a greater demand, the effect of which would not be to reduce smuggling but to increase it. In addition, any reduction of duty would cause the loss of a considerable sum of money to Government.

The Honourable Member for the Ibo Division suggested that the amount of duty collected in respect of export duties indicated that it was not the intention of Government to encourage the export of certain domestic products. I would assure the Honourable Member that this is not the case. The imposition of an export duty is purely a revenue matter and nothing else.

The Venerable and Honourable Member for the Ondo Division referred to the shortage of dentists. If he would care to look at the provision made in the estimates of the departments controlled by my Honourable Friend the Commissioner of Income Tax and myself he would see that provision is made for a considerable number of exponents of the art of painless extraction.

The Hon. the Director of Marine :

Your Excellency, the Reverend and Honourable Member for Calabar asked for waterway clearing dredging and swamp reclamation in the Calabar River and the construction of a new wharf in Calabar. The waterway in which he is interested will be cleared during the forthcoming year and the questions of dredging, swamp reclamation, and the construction of a new wharf, will be kept in mind.

The Venerable and Honourable Member for the Rivers Division asked for a reduction in the fare now charged on the Port Harcourt—Akassa Service and his request will be considered. I understood him to say that the present charge is One Guinea whereas it is 13s 8d. The construction of two new vessels for this service is held up awaiting supply of material from overseas. *Ajassa*. I am sorry but I cannot agree that the travelling conditions in this collier are as bad as the Honourable Member would lead one to believe. In pre-war days the number of passengers was sixty. This has now

been reduced to thirty-five. There is always a long waiting list and we cannot accommodate all who wish to travel in the *Ajassa*. The collier *Ajassa* is a very popular vessel with deck passengers and I feel that it would not be so if conditions were as bad as the Honourable Member says they are.

The Honourable Member for the Cameroons Division mentioned the Calabar-Victoria passenger service. Some improvement has been made during the past few months by sending a Government vessel to relieve the congestion and it is hoped that we shall be able to continue to do this each month until such time as the regular service proposed by *Pathfinder* can be started.

The service between Ikang and Kumba is one too costly to entertain. It would entail the removal of hundreds of thousands of tons of spoil to cut and dredge a channel from Bonge to Kumba and the cost of this work would be anything from fifty to one hundred thousand pounds. The Meme River would have to be dredged also as it is practically dry in the dry season.

The Honourable Member for Ibibio referred to smuggling. I agree with him that one launch is not sufficient for this service and I have asked that provision for a second one be considered. Even a third vessel may be necessary. The Honourable Member mentioned the new preventive vessel now in Calabar preparing for the fray and expressed some doubt about its ability to win a canoe race. I am not going to make public the speed of this vessel but I do accept the Honourable Member's challenge and suggest that a case of brandy be the prize for the winner—duty paid in case any Customs Officers are about when he hands the winner's prize to me.

The Hon. the Director of Education :

Your Excellency, several Honourable Members have been good enough to refer in appreciative terms to the work of the Department of Education. Their eagerness to know what is being done now and what is being planned for future years is a great encouragement to my staff and myself. I trust that they will not regard me as lacking in courtesy if I thank them very briefly but sincerely and pass on to deal with the criticisms that have been made on certain features of the Department's work. Perhaps I ought to add, Sir, that I listened with particular interest and with a measure of surprise to the comments of my Venerable and Honourable friend the member for the Ondo Division. I say with some surprise because in recent years the Honourable Member has shown a tendency to upbraid Government for its failure to provide amenities in the Provinces and to direct the heavier pieces of his artillery at my Honourable friend the Director of Medical Services and myself. The fact that the intensity of his bombardment has sensibly diminished on this occasion is a matter from which my Honourable friend and I derive some degree of satisfaction.

In your printed address, Sir, you analysed in some detail the major Educational events of the year, the progress made with the technical part of the Educational Development plan, and the principal aspects of the general side of the plan which was laid before this Council last December. Many Honourable Members, in the course of their speeches, have alluded to these matters and I shall refer briefly to their comments.

The Reverend and Honourable Member for the Calabar Division mentioned that the Department had been handicapped by the delay in the publication of the Report of the Elliot Commission. It is true that the Report took a considerable time to see the light of day but the Department had, to a large extent, anticipated the Commission's findings and had planned accordingly. The Honourable Member pleaded for more secondary schools, Teachers' Training Centres and what he called "industrial" schools. As the Honourable Member, when he spoke, had not had the opportunity of reading Your Excellency's printed address I hope that he has by now been able to do so and to familiarize himself with Government's proposals.

The Honourable Member hinted that the teaching staff of Government Schools were discontented with their conditions of service. I am well aware of certain grievances. These derive not so much from the actual salaries as from the present grading by which promotions depend on vacancies. The departmental views on these matters and suggestions for the rectification of anomalies have been referred to Government and by Government to the Salaries Commission. Particular reference was made by the Honourable Member to the respective salaries of Headmasters of Primary Schools and of Travelling Teachers. From the Olympian heights of this Council this may appear like a battle between kites and crows but, as the controversy has occasioned some bitterness, I may perhaps explain it briefly. The Travelling Teacher is principally concerned with the remoter unassisted Schools. He has much hard travelling and is frequently subjected to very rough conditions. For some years, therefore, Government has granted him an allowance of £24 a year to compensate him for wear and tear. One would not think the allowance excessive but it has troubled the breasts of the sedentary Headmasters who happen to be already at a disadvantage with regard to their own staff. There is a further grievance. A Travelling Teacher, from the very nature of his work, should be intimately acquainted with the languages and conditions of his area. It is therefore sometimes necessary to appoint a junior man to the post as no senior man has the requisite knowledge. Not only may a junior teacher draw the coveted allowance but worse still—and here the Headmaster's argument is not without force—the wider experience that he gains will enable him to show his parts and make him eligible for accelerated promotion. As I have

already indicated, Sir, suggestions for the solution of this and other nice problems have been referred to the Salaries Commission.

The Honourable Member for the Oyo Division made some observations on school uniforms. I understood him to mean that local rather than imported cloth should be used for this purpose. As no particular style of uniform is prescribed by the Department, perhaps the Honourable Member will take up such local grievances as may exist in his Division with the Chief Inspector of Education, Ibadan, to whose attention I will direct the Honourable Member's suggestion.

The Reverend and Honourable Member for the Egba Division suggested that the demand for education exceeded the supply of schools and teachers. That may be true of certain areas but it is certainly not true of the territory as a whole. As to the Honourable Member's invitation to Government to "come to the rescue" may I refer him to the notable increase in the grants-in-aid Sub-head of Head 13 of the draft Estimates. Primary education, Sir, is in fact expanding fairly rapidly as is the output of the Teachers' Training Centres, quite apart from the proposals made in the plan of Educational Development.

The same Honourable Member welcomed Government's decision to provide a superannuation Scheme for non-Government Certificated teachers as did the Honourable the Third Lagos Member. But both Honourable Members went on to suggest that the scheme should be extended still further. The former pleaded that it should be applicable to non-certificated teachers of 15, 20 and 25 years continuous service, while the latter urged, in effect, that certificated teachers should receive precisely the same terms as Civil Servants. Government will give sympathetic consideration to the first of these points—I am in fact collecting statistics of the numbers involved—but I must warn the Honourable Member that the line must be drawn somewhere. Under any scheme there are bound to be hard cases. As to the second point, while the Territory will need, as education develops, a growing approximation between the salaries and conditions of the teaching profession as a whole, Government cannot for the present accept the non-Government teachers' claim to be treated as a civil servant. The indispensable preliminary of parity should be the formation of approved and representative Local Education Authorities responsible to Government. So far from being an educational dictator as the Reverend and Honourable Member suggested, I am concerned at the inadequacy of the control which is exercised over primary education: indeed, Sir, the method of direct grant by the Central Government to primary schools has become not only cumbersome but anachronistic.

As to the Honourable Member's plea that the status of the trained artisan should be raised, Government is in entire agreement: the reation of a self respecting class of artisans and technicians is, in

fact, the fundamental object of the scheme for the development of Technical Education.

Reference was made by the Honourable Member to the closing of Education Offices during the war years. That unfortunate state of affairs can only be rectified gradually as and when replacements of trained personnel become available.

Later in the debate the Honourable the First Lagos Member expressed appreciation of the improvement in teachers' emoluments. As the salaries of Government teachers have remained unchanged for several years and those of non-Government teachers have been unchanged since the adoption of the 1942 Board Scales, I assume that he was alluding to the increased security provided by the superannuation scheme for non-Government certificated teachers to which I have already referred.

The Honourable the Second Lagos Member intimated that he was "fed up"—to use his elegant expression—with ten year plans. In so far as he was referring to the ten-year plan prepared by the late Director of Education, the Honourable Member may not be aware that that plan was recast on the instructions of the Secretary of State and that the first instalment of the revised plan has been included in the draft estimates. The Honourable Member welcomed the importance attached by Government to the acceleration of the education of women and girls and, in this, he was supported by my Venerable and Honourable friend the Member for the Rivers Division who referred in appreciative terms to the appointment of the Woman Assistant Director of Education. The Honourable Member went on to urge the importance of continuity in the Queen's College Staff. I am in agreement with his main thesis but, as to his specific reference, it would be scarcely proper for me to discuss in this Council the movements or intentions of a particular member of my staff.

The Venerable and Honourable Member for the Rivers Division invited Government to establish a Secondary School in his Division. I sympathize with that plea but my Honourable friend will realize that our most immediate need is the improvement of the quality of our secondary schools rather than an extension of quantity. Concentration rather than dissipation of effort must be our motto for the next year or two.

The Venerable and Honourable Member for the Ondo Division in the course of his brief reference to education stressed the need for additional building grants. It will suffice, I think, if I say that the draft estimates reflect his wishes and if I invite his attention to paragraph 77 of the Memorandum on these estimates.

Reference was made by several Honourable Members, notably the Honourable Member for the Ibo Division, to the training of Africans for higher posts. It is Government's intention to pursue a poli

of steadily increasing the numbers of Africans in the higher levels of the Service and to this end it is financing the training of persons who have shown that they will be capable of benefiting the service and the community by such training. This policy is reflected in Head 13 Sub-head 16 of the draft estimates. Honourable Members may be interested to know that the Scholarship Committee submits to Your Excellency recommendations for the award of open scholarships while Heads of Departments submit recommendations for departmental scholarships in respect of serving officers to enable them to discharge their present duties with greater efficiency. As regards the statement that agricultural scholarship holders in Trinidad have failed to come up to expectations, my Honourable friend the Director of Agriculture has just dealt with this subject.

The Honourable the First Lagos Member mentioned that an exit permit had been withheld from a person who hopes to enter a Medical School in the United Kingdom or Ireland. It is true that the exit permit regulations have been withdrawn but it is also true that Government is under an obligation to protect would-be students from the hardship of going abroad without a clear fore-knowledge of what is involved. In that connexion the Secretary of State has notified Government that the limited capacity of British Universities and especially Medical Schools makes it impossible to hold out any hope of guaranteeing admission to more than a very small percentage of those students who have applied or may apply. I can assure the Honourable Member, however, that his particular grievance will receive immediate attention and I hope the position will be clarified to his satisfaction at an early date.

On this occasion last year, Sir, I referred to the Venerable and Honourable Member for the Colony Division as "*laudator temporis acti*" and in the course of the present debate he has told us some horrifying stories about school method as practised in West Africa at the end of last century. He upbraided my Department because it judged the African by British standards: on the contrary, Sir, it endeavours to synthesize all that is best in the African tradition with Western civilization. The only evidence the Honourable Member adduced in support of his thesis was the statement that boys and girls are turned out of school because they are no longer of school age. I venture to suggest to the Honourable Member that if there are children of school age who are able and willing to avail themselves of a primary education they should not be prevented from doing so by cluttering up the schools with young adults who are unable to profit by such an education. The Honourable Member welcomed the proposals for adult education described in Your Excellency's printed address: I hope he will take the lead in his own Division and inspire a band of voluntary workers for the task. The impetus must come from the people themselves and it has already shown itself in various parts of the Territory.

The Honourable the Mining Member urged the need for training of Mining Technicians and expressed the hope that this would form a part of the scheme of technical education. On this point, Sir, it is proposed that the Technical Institute should provide courses in the building trades, civil, mechanical and electrical engineering, Telecommunications and radio, the printing trade and other local trades. It will also take over the commitments of the Yaba Higher College and will initiate courses which will eventually be taken over by the territorial or University College. In so far as mining is concerned, I should be grateful if the Honourable Member would consult the Principal on the practicability of providing the highly specialised theoretical training required by the mining industry in conjunction with the practical work for which he has so kindly offered to provide facilities.

The Honourable Members for the Warri and Cameroons Divisions mentioned projects of educational expansion which are either under active consideration or are already under way in their Divisions. I can assure them that there will be no avoidable delay in extending these projects. The latter of these Honourable Members made particular reference to the training of apprentices at Bota: arrangements have been made for a survey of the position by a Senior Officer of the Department's technical branch.

That, Sir, concludes my comments on the criticisms of the Department of Education made in this debate. May I add that if any Honourable Member desires further information on matters affecting his Division, I shall be most happy to see him in my office during the coming week.

I thank you, Sir.

The Hon. the Chief Secretary to the Government :

Your Excellency, on a point of order if the official reply to the debate could possibly be finished by 1 o'clock or shortly after, and if Your Excellency is agreeable, and if Honourable Members are also agreeable, I suggest we might continue.

Agreed.

The Hon. the Attorney-General :

Your Excellency, I want to refer very briefly to the shortage of staff in the Legal Department which was commented on by my Honourable Friends the First Lagos Member and the Member for the Ibo Division. I was in this House, Sir, three years ago when the First Lagos Member brought up this question. I was in this House then, Sir, when in reply to him a remark was made which might have reflected upon the motives of the First Lagos Member

who put that question. I want the Honourable Member to know that neither I nor any member of my staff believe the implication of that remark. I think the Honourable Member might remember that in debate things are often said in an endeavour to score a point of which the full implication is not understood. I ask the Honourable Member to forget it; the remark was unfortunate and I personally regret it. I need not tell this House that I did not make it.

The existing shortage of staff has continued. There are at present in the Legal Department six professional officers. We are an interesting group. We have a New Zealander, two friends from the West Indies, a Nigerian and two of us natives of Ireland. It sounds like a sub-committee of the League of Nations. It is possible that in the future we will have to admit an odd Englishman but I can promise the House that I will keep the international aspect well to the fore. Indeed the shortage of staff has continued but it has not continued because of any racial discrimination. In the first place every Member of this House knows perfectly well that is diametrically opposed to Government views. In the second place every Member of this Council knows me well enough to know that racial discrimination receives no encouragement from me. There is a shortage of staff in the Legal Department for one very good reason. We cannot get anybody to fill the posts. On the European side since 1939 it has been impossible to procure anyone. Since 1941 there have been two applications by Africans for appointments in the Legal Department as Crown Counsel. Both petered out. The first one I am not very sure of the details. The applicant was, I think, forty-six and to retire at fifty-five meant that there was no real future for him as Crown Counsel. The second applicant I received was in August last year. I hastily wrote a most polite letter to the applicant and asked him to fill in two forms and we have never heard of him again. Three years ago I told Finance Committee that in respect of Crown Counsel only three characteristics and qualifications were required: knowledge of his work, a capacity for very hard work and absolute integrity. I am assured by the Honourable the First Lagos Member and the Honourable Member for the Ibo Division that there are Barristers at the Bar here who fulfil those qualifications but they do not come forward. They are not attracted because I think the terms and conditions and the money attached to the post are not as lucrative as private practice in Nigeria. I listened to the plea of the Honourable the First Lagos Member directed I think to the Honourable the Commissioner of Income Tax as to the terrible conditions under which he and his professional brothers work. I was almost moved to tears but the net result is that none of his professional brothers want posts that go up to £720 a year. I am glad that the Honourable Member for the Ibo Division joined in this debate. I think he did it with his tongue in his cheek because he and I

have discussed the question—the question of African staff—on many occasions. He knows perfectly well that my ideas of Africanization in the Legal Department are at least the equal if they do not exceed reasonable African expectations. I think he will go so far as to say that this is sincere. Nobody better than he knows why the African does not come forward. The experienced man is not attracted and the inexperienced man if he comes in at the beginning would be welcome but give him one year in practice and he is no longer attracted. There is a very simple method of employing Africans. That is the head counting system. You employ Africans who are not fitted for the appointments and then you may rise in Council and say that out of a staff of so many you have so many Africans. You have counted heads. I can think of nothing more detrimental to African interests than to employ, particularly in my Department, Africans whom you are not confident are capable of reaching, and are not trained to reach, the higher positions in that Department. Were I to do so, Sir, in three or four years time I would have to reply to a question as to why the Africans were not being promoted and would have to give the answer that none of them were fit for promotion. There is nothing more detrimental to a young nation than to put incompetent people into responsible positions and very well the Honourable Members know it. If the Honourable Members will help me to find suitable candidates, I will employ them and employ them gladly.

His Honour the Acting Chief Commissioner, Northern Provinces :

Your Excellency, as is customary in this House there has been little reference to the Northern Provinces. The reason is that only two of the Unofficial Members represent areas or interests in the Northern Provinces. I correct myself. I should have said two and a half because the Honourable and Venerable Member for the Ondo Division exercises very much more than a watching brief in the Northern Provinces area across his boundary.

On this occasion I have been rather surprised that the Reverend and Honourable Member for the Colony Division gave such a long address on the Northern Provinces, for which I thank him, and which I hope will have done much to contradict the various inaccurate reports as to conditions in the North.

In connection with the Honourable Member's reference to prisoners being chained to their beds in hospital I cannot give any direct answer to that question at such short notice. I cannot believe it is really customary but I can assure him that on my return I will have the matter investigated.

With regard to the dismissal of a Government Clerk mentioned by the First Lagos Member, this dismissal was not taken hurriedly, or without due consideration. In fact it was finally settled at the very highest level. The subsequent petition was considered and was unsuccessful. I cannot believe, Your Excellency, that you will wish to reverse that decision.

The Honourable Member for the Ibo Division referred to a comment in Your Excellency's speech about the riot or disturbance in Jos which occurred between Hausas and Ibos and he asked for further information. The disturbance started by a common market brawl, and developed into a tribal dispute in which Hausas and Ibos without any knowledge of the origin of the dispute or disturbance, joined with their fellow nationals and came in from outlying villages prepared to create a very serious riot which was only prevented by the quick and efficient action of the Nigerian Police.

The Honourable Member for Kano has referred to the disappointingly slow evacuation of groundnuts. As Your Excellency knows every effort is being made to speed it up, but the reasons for this slow evacuation are beyond our control. It is hoped it will improve in the next year. I would like to take the opportunity of saying I have received today a telegram giving the final result of the groundnut crop. The final figure is 294,211 tons. I think if we allow for undeclared stocks in the hands of Buying Agents it is possible we may reach the 300,000 mark, which is the second highest in the history of the groundnut trade. I should like to take this opportunity of paying a small tribute. The words "groundnut campaign" sound as if there was a special organisation and a special staff. There is no such staff. There is one officer in charge who has also to carry out the ordinary duties of Resident in a not unimportant Province. He has been assisted by one voluntary unpaid lady, by one clerk borrowed from the Provincial Office and by one young Hausa mallam. That was the groundnut production staff. It is obvious they could do little more than co-ordinate, advise and encourage. It is also useless to pretend that the attenuated administrative and agricultural staffs have been able to do much. No Sir. The credit for the success of this campaign is due to the Native Authorities, to the Emirs, to their District Heads and Village Heads, who have loyally answered the call as part of their war effort.

And I should add, last and by no means least, the greatest credit of all is due to the Hausa peasant farmer who has risen to the call and grown the groundnuts.

His Honour the Chief Commissioner, Eastern Provinces:

The Reverend and Honourable Member for Calabar has passed certain strictures on Administrative Officers. Firstly they interfere with and overrule the Native Authorities and secondly

the conflict of opinion regarding the individual treatment of certain persons. As regards the first, I submit that in the present state of the Native Authorities in the Eastern Provinces it is very necessary for Administrative Officers to interfere in certain cases. The actual incident, I think, which the Honourable Member had in mind was, a minor one, the appointment of a Council Secretary. The Native Authority produced a man the District Officer thought quite unsuitable and the Native Authority was overruled. This might have been a case such as the Honourable Member suggested himself where the Native Authority should have been allowed to make a mistake. There is more in it than that. The Administrative Officer is very largely responsible for the wise spending of Native Authority money. If this man had been employed this money would not have been wisely spent and I might add that I think the Honourable Member, who is also a member of this Native Authority, is in entire agreement with that view. As to the second stricture, he refers, I believe, to the discussions which have been going on concerning the future administration of Calabar Township. Some two years ago the District Officer after considerable discussion set forth a thought-provoking memorandum for consideration by all classes of the community. The response was very unsatisfactory and in particular the Native Authority procrastinated and adopted an uncompromising attitude. Before replies were received though, the District Officer went on leave after a very long tour. The relieving District Officer in view of conflicting opinions issued a statement as to how the matter stood. Doubtless he has made various suggestions and counter-proposals. So the matter stands, and unless agreement can be reached among the contending parties it will doubtless be necessary to form some compromise and to get on with the thing because we cannot stand indefinitely as we are.

I think the Honourable Member for Ibibio Division is mistaken if he thinks that I have ever had any concrete suggestions before because I have not.

The Venerable and Honourable Member for the Rivers Division proposed a new province to be known, as he suggested, as the Creeks or Rivers Province. I am authorized to say that His Excellency has already approved in principle the formation of such a province; details are now under consideration.

The same Honourable Member referred to the question of the manilla; other Honourable Members also referred to the same question. I am authorized to say that it is the policy of Government to redeem the manilla as soon as possible. Ways and means which will implement this policy are now under consideration.

The same Honourable Member referred to and criticised adversely African staff housing. If the Honourable Member will refer to the

Estimates under consideration he will see that £20,000 have been inserted under Temporary Buildings for improved housing of African staff in the Eastern Provinces where that staff are unable to find suitable accommodation by private arrangement. I trust he will support the provision in Committee.

As regards Port Harcourt, consideration of a form of municipal government has been going on for some considerable time. It has not got very far because it really has not been anybody's business to bring things to a conclusion. I have now posted an Administrative Officer especially to enquire into it. I hope before the end of this year we shall have concrete proposals to put forward.

The Honourable Member for Ibibio Division referred to the situation in the Abak and Opobo Divisions in relation to these leopard murders. He observed that a year ago he was informed that there was no Leopard Society and that such deaths as had occurred were the result of attacks by wild beasts. That was the only reply that we could give at that time because all the post mortem examinations had shown that they were due to wild beasts. By chance it was discovered that this was not so—the evidence showed that the 'wild beast' had removed the victim's singlet and taken some manillas from his bag. As soon as this was discovered the whole situation altered. When the next murders happened it was found as a result of a post mortem that death had occurred by stabbing in the neck by a very sharp instrument and then iron claws had been used to remove the flesh around the wound so that no evidence showed where the actual blow had been struck. The hearts were also removed and again the claws were used to disguise where the wound had been made and it is noteworthy that one Medical Officer informed me that the heart had been removed just as skilfully as he could have done it himself. In the case of male victims the right arm is usually removed and in the case of females the left arm. These mutilations were also disguised by the claw. Then the Police came into the picture and we have discovered some 160 deaths and there are 35 cases of persons charged with murder. Seven cases have been heard and thirteen out of fifteen of the accused have been convicted.

The Honourable Member for the Colony has announced his intention of visiting the Eastern Provinces. We shall be very pleased to see him and give him any facilities he wants including, should he so desire, a visit to the Leopard country.

His Honour the Chief Commissioner, Western Provinces:

Your Excellency, on this occasion Honourable Members have been, shall I say, unusually sparing in their criticisms of the Western Provinces. I have not perhaps the reasons, and certainly not the temerity of my Honourable friend the Commissioner of Income Tax to suggest that there is nothing to criticise in the

Western Provinces; whatever the cause, however, of Honourable Members forbearance the result is that I am under no necessity to speak at all, particularly as any questions that have been raised in connection with the Western Provinces have already been fully dealt with by previous speakers on the Government side. There are, however, two matters on which I think I can usefully say something, and if Honourable Members will bear with me for a few minutes there are one or two matters on which I should like to say a word.

The Honourable Member for the Oyo Division referred to a suggestion which, if I understood him rightly, had been made to him by his constituents in the Ilesha area to the effect that royalties paid on gold won in the Ife-Ilesha area should be paid into the Treasuries of the Native Authorities of that area. The Honourable Member I imagine, was not aware that this proposal had been discussed and dealt with at a meeting of the Native Authority Council, attended by myself, in I think 1943, but the Honourable Member himself will of course remember the explanation of the position regarding mineral royalties which was given by my Honourable Friend the Attorney-General, then Solicitor-General, in his full and I think I may say, masterly exposition of the Minerals Ordinance in this House a year ago. Incidentally a copy of this speech was printed and circulated in the Provinces for the information of those concerned, and in order to dispel the doubts and misapprehensions that had been gathering in regard to that Ordinance. I do not propose to repeat my Honourable Friend's explanation on that occasion. The position, briefly, is that the minerals of Nigeria are vested in the Crown, that is in the Government of Nigeria. Royalties paid on such minerals accrue to the general revenue, and as part of that revenue are administered for the common benefit of the whole community. That is no innovation—that principle has been adopted in our legislation, fortunately for Nigeria, for getting on for 30 years. The suggestion made by his constituents to the Honourable Member is I am afraid not consistent with that principle, and cannot therefore be entertained.

The Honourable Member for the Warri Division expressed concern about the question of rubber production. I think the position is not quite so gloomy as may appear. The highest grades of plantation rubber are still being purchased on behalf of the Ministry of Supply, and the lower grades are being purchased commercially. At the same time I think the producer would be well advised, looking to the future, not to put all his eggs in a rubber basket.

During the debate, Sir, a number of Honourable Members have expressed their appreciation of the tribute you paid in your Address to the late Lord Lugard. As one of a rapidly diminishing number

of Government Officers still in the country who had the privilege of actually serving under Lord Lugard I should like to associate myself with these expressions of appreciation.

I think Sir, you referred in your Address to the likelihood of this being the last budget meeting of the present Council. We all look forward with impatience and high hopes to the birth of the new constitution, which is an important and very considerable step forward on Nigeria's path of political progress. I think it only right to spare a thought for the existing Council whose days are now numbered. The Honourable Member for the Ijebu Division referred to the good work that this Council has done in the past, not only in promoting the good government of the country, but in furthering and spreading the knowledge and understanding of the principles of good government, the appreciation of others' points of view, and not least of all in producing and fostering good will and the spirit of co-operation in the pursuit of our common purpose. During the 24 years of its life the composition of this Council has been completely changed on several occasions. Honourable Members, both official and unofficial have come and gone, but the spirit which has animated all the deliberations and activities of the Council has remained unaltered in essence, maturing and growing in vigour with the years. The achievements of the present Council and the spirit which has animated it are a good augury for the success of the new Council which is to take its place.

The Hon. the Chief Secretary to the Government :

Your Excellency, in the first place it is my pleasant duty to congratulate the new Members on their maiden speeches and I will go further and congratulate them on their clarity both of diction and of expression, and I am sure that all Honourable Members will agree with me when I say that we look forward to hearing more from them in the future.

Sir, as a newcomer to Nigeria I have taken a particularly keen interest in this debate. The budget debate in a Colonial Council is an occasion on which Unofficial Members are given a measure of freedom, which, I am glad to see, they make full use of because I and my colleagues on the Official side of the House derive an advantage from a fairly wide debate at least once a year. It enables us to learn something of what I might call the general trend of responsible public opinion in the country, and that, Sir, is of great value to us when considering the various questions which come up for consideration and decision day by day.

I have endeavoured on this occasion, Sir, to see if I can hear, as it were, any particular note running through the debate. I think that I have detected such a note, Sir, and I would describe it as this; the expression of ambition; ambition to see progress; ambition to see political progress, to see social and economic progress and to

see progress of the individual, with particular reference to Africanisation of the Civil Service. Sir, I find that note most encouraging. So often in tropical Africa and indeed in other countries too, one of the greatest obstacles to development has been the apathy of the very people for whom the various measures of development have been designed. I am afraid, Sir, that even in Nigeria, over a good deal of the area, we still have a good deal of that apathy to overcome and I hope, Sir, that Honourable Members will do all they can to communicate their enthusiasm to the people of this country generally. If our development plans are to succeed, if they are to achieve anything at all they can only achieve it through the people themselves and it is most important that we should have the enthusiastic co-operation of the people in carrying out the development plans which have been framed.

Coming now, Sir, to this question of what I call individual ambition, and particularly the Africanisation of the Civil Service, if I may say, Sir, without wishing in any way to appear offensive, I think it is perhaps a pity that one or two of the Honourable Members who spoke so warmly on the subject should not have taken just a little more care to verify their facts before they spoke. It is, I think all Honourable Members will realize, quite absurd to say that nothing whatever has been done during the last eighty-five years. The Honourable Member for the Ibo Division I think made a few omissions and some of my friends on the Official side have drawn his attention to them already. I myself could hardly suppress a smile when he alleged that there were no African Administrative Officers when at the very time he was speaking sitting in this room under his very nose was an African Administrative Officer. I would add in parenthesis for the information of the Honourable Members that the Administrative Officer who is sitting alongside the Clerk is the officer who I hope at the next meeting of Council will take over the duties of Clerk of this Council.

Sir, I can say quite categorically to the Honourable Member for the Ibo Division that there is no post in the Civil Service exclusively reserved for a European. There is no such post. We have at the moment a Head of Department who is not a European. I am not quite sure where he comes from because I have not yet had the pleasure of meeting him. He went on leave shortly after I arrived in the country but he is either an African or a West Indian. Honourable Members might think it perhaps a little peculiar that I do not know the exact origin of this gentleman but of course I am not really interested in that. What I, as Your Excellency's chief executive officer, am interested in is whether an officer does his work properly or not. So long as he does his job properly I do not care what his colour is—black, white or, as one Honourable Member said, blue or green.—If an officer will do his work properly, if he shows initiative, enterprise and efficiency that officer will go forward no matter whether he is black, white tall or thin—or whatever his

physical condition may be—so long as he is physically up to the performance of his duties.

I notice, Sir, that the Honourable Member for the Ibo Division—I seem to be concentrating on him but it is quite accidental—I notice that when it suited his argument he read out extracts from Your Excellency's speech but he almost noticeably refrained from doing so when he was discussing this subject. With the permission of Honourable Members I should like to remedy the omission, Sir, and possibly refresh their memories. I quote, Sir:—“In my Budget Speech last year I emphasized the anxiety of Government to find qualified and competent Nigerians for the higher posts in Government Service. We want scores of teachers, doctors, engineers, agricultural officers, surveyors and so on. It is no use saying that there are plenty of qualified and competent Nigerians, because we all know that at the moment it is not true to say so. We can say that there must be plenty of Nigerians who could qualify and become competent if given the chance. With that statement I agree. The Government is most anxious to provide the facilities for such training. Our development plans contain such provisions and I am as impatient as you are, gentlemen, to get on with this work.” Sir, I do not propose to say any more on that subject because if the Honourable Member is not prepared to take any notice of what Your Excellency says I can hardly expect that he will take any notice of what I say.

I would also refer Honourable Members to the provision which has been made in these Estimates for scholarships. No less than £26,000 for scholarships to enable suitable Africans to go to the United Kingdom to obtain the qualifications which they will require for these higher posts. £26,000—the limitation, I might add, is not financial. It is, as mentioned by the Honourable the Director of Education, the pressure at the present time on the available space in the Universities but as opportunities improve I have no doubt whatever, Sir, that Council will approve larger allocations for that purpose if they are required. Before I finish on this particular subject, I would like to make an appeal. I make this appeal very seriously and very sincerely and I make it to all Members of this Council—Official and Unofficial Members. It is this, Sir. Let us stop wrangling on this subject. Let us instead accept the undertakings which Your Excellency has given and let us accept those undertakings in the spirit in which they have been given, that is to say in the spirit of faith in the future of this country.

I turn now, Sir, to the question of political development which has been raised. One or two Honourable Members, and the Honourable the Second Lagos Member in particular, would like to see immediate self-government. The Honourable the Second Lagos Member, Sir, gave us a very interesting historical review and I quite agree with the Honourable Member that we should make our

plans for the future in the light of past experience. That is a maxim laid down and often repeated by the former Prime Minister, Mr Winston Churchill, but of course in much better phraseology, and I am sure that we are quite right to endorse that. But I would suggest to the Honourable Member that any historical study of constitutional development brings out one point very clearly and that is that evolution is to be preferred to revolution. In constitutional matters, Sir, evolution means, I should say, taking steps gradually one after the other, consolidating the position on each step before going on to the next. Revolution on the other hand means taking a very sudden leap from one extreme to the other. Evolution does at any rate give us stability, political stability, social and economic stability. Revolution does not. Revolution creates at once political instability and social and economic instability. We must aim at steady evolution, and that, Sir, is precisely what the new Constitution proposes to do.

The next step that has to be taken, Sir, is obviously to remedy the great defect of this Legislative Council. Sir, as my Honourable Friend the Acting Chief Commissioner for the Northern Provinces has pointed out, it lacks the representation of the Northern Provinces which contain more than half the population of Nigeria, so that quite clearly the first step to take is to make this Legislative Council as fully representative of the country as a whole as we possibly can. And that, Sir, is the first thing that the new Constitution sets out to do, and secondly it takes another very important step forward in the creation of Regional Councils. We all know, Sir, how very different conditions of all sorts are as between the Northern, Eastern and Western Provinces, and under this new Constitution, Sir, in the Regional Councils the people of each area will have the opportunity of discussing their own affairs amongst themselves. They will also be able subject, to the final financial authority, which will still be vested in the Legislative Council, to determine expenditure on the social services and other services within their own area. Surely that, Sir, is a very great step forward and I do think, Sir, that the people in this country would be well advised to consolidate that step before they go any further. As a matter of fact, I noticed that the Honourable the Second Lagos Member said that the people of Nigeria rejected the new Constitution. I am not aware, Sir, that he has a mandate to speak for the whole of Nigeria. In fact I have reason to believe that the people of the provinces are not yet convinced that the time has come when they should hand over the administration of their affairs to one or other of the small political groups here in Lagos.

I also gathered, Sir, from one or two remarks which the Honourable the Second Lagos Member made that he is not entirely satisfied with the Lagos Municipality. There again, Sir, I think if I may refresh the memories of Honourable Members I should like to read a very short extract from Sessional Paper No. 4 of 1945,

setting out the Constitution; because I think that extract really gives an answer to the Honourable Member.

“Lagos itself, comprising its present town limits divided into urban and suburban areas with a population of about 210,000, would become a Municipality with extensive powers.”

I think that is all I need quote. “. . . *would become a Municipality with extensive powers*” and there, Sir, is the policy of this Government in one single sentence and I can assure the Honourable the Second Lagos Member that if he and his colleagues on the Town Council have any concrete suggestions to put forward now, they will receive consideration in the light of the policy which has already been pronounced.

Incidentally, Sir, in quoting pronouncements of Your Excellency I would like to invite the attention of Honourable Members to the fact that all these separate pronouncements are not disconnected *ad hoc* pronouncements of policy; they all interlock; they all dovetail in together into one comprehensive and very well considered pattern, and I think I would suggest to Honourable Members that they should study Your Excellency's pronouncements with that realization; that they are all part of one design, one pattern which I would call the pattern for Nigeria. I know, Sir, that Your Excellency would wish me to add that the original outline of that pattern was drawn up by the late Lord Lugard and that what Your Excellency has done is to begin to fill in the detail of the pattern. It is, however, the same pattern; the Lugard pattern.

I see the time is going on but I must just refer to the Public Relations Office. We ourselves are very conscious that the Public Relations Office up to the present has not been able to do as much as we should have liked it to do in the matter of putting before the public expositions of Government's policy and of Government's activities. The reason for that, Sir, is that we have not had the trained journalistic staff to do this and it does require a trained journalist to do that sort of thing properly. I am, however, glad to be able to inform Honourable Members that two Press Officers have now arrived and one of them already has had several years experience of Nigeria, and they will be starting—they have already started—on their work, and I hope now, Sir, that we shall be able to issue as I said such expositions of Government's policy and activities which I hope the Press will find useful, and I hope that they will make good use of them. As regards the publications that have been issued up to the present by the Public Relations Office there are divided opinions upon them. For instance, the *Nigerian Review*. Many people like the Honourable E. W. Cannell find it dull and uninspiring and yet on the other hand I am assured by other people that they find it most interesting and they implore us not to stop its publication. However, Sir, for the time being we

have decided to continue the publication and I hope it will, with the assistance of Press Officers, be perhaps made a little more interesting and informative.

Finally, Sir, one or two Honourable Members mentioned questions, some seem perhaps a little bit dissatisfied. Well, Sir, we have had an unusually large number of questions asked this Session. Well over one hundred. We are short-staffed, Sir, not only in Departments but also in the Nigerian Secretariat. These questions do involve a lot of work and trouble and I would ask Honourable Members if they would be so kind as to restrict their questions to those which genuinely seek information which is not otherwise available. That, after all, is the only legitimate ground for asking a question in the Council. I would ask Honourable Members to refrain from asking questions to which they already know the answer, and I would also ask them to refrain from asking questions to which they know there is no answer. Asking questions does not extend to the proposing of conundrums. One Honourable Member complains that some of his questions had been mutilated. Well, Sir, if we have erred there, we have erred in an attempt to serve the interests of the Honourable Member because it does occur from time to time with various Honourable Members—I am sure quite inadvertently—that they frame their questions in such a way that they would not be allowed as they stand under Standing Rules and Orders. They have only been altered to save time. The Clerk of the Council amends the question so as to bring it within the Standing Rules and Orders, but of course if the Honourable Member would prefer that the Clerk should not do that, if the Honourable Member would prefer to redraft the question himself—it is really I suppose his job to do so—he may. The Clerk, I know, has only amended questions to save time in the interests of Honourable Members themselves.

The Hon. the Financial Secretary:

Your Excellency, rising at this late hour, I propose to be extremely brief, briefer than I had originally intended. It is unnecessary for me to say much because although the field covered by the debate has been extremely wide, that particular corner of the field which I try to cultivate has been rather neglected. One or two of the Members have glanced at it, but most have disregarded it. Can that be because they are entirely satisfied with that part of the field, or is it that they intend in Select Committee, when we are at closer but still, I hope, friendly quarters, to bring up criticisms. I think it is neither. I think it is as practical men coming from different parts of the country they are far more interested in the results of expenditure, than the ways and means of obtaining it. Yet, the two questions are entirely associated. They cannot in fact be disassociated. It is a feature common I think to all Colonial Budget debates; the universal demand that

Government should expedite and extend its expenditure programme with very little or no reference to the means of financing that expenditure. I think, Sir, it should become a habit in all our minds to think of revenue and expenditure together as two aspects of the same thing, as the obverse and reverse of a coin, so to speak. Most of the specific points raised in the Debate have already been answered, but I have one or two to which I should like to refer briefly.

During the progress of this sitting, I have a piece of good news—an eleventh hour review of the expenditure and revenue of the current year shows that we are likely now to obtain a surplus of well over one million pounds, possibly £1,213,000. That strengthens still further our net reserve position.

The Honourable Senior Unofficial Member raised the question of gratuities to women officers. Actually that question was considered some time ago, and it was approved on the highest level that there should be a scheme under which Government should have power to call upon their women employees to retire at the age of 45. Such employees would also have the right to retire themselves at that age if they so wished. Under this scheme also a marriage gratuity at the rate of one-eighth of a year's presumable emoluments for each year of service subject to a maximum of one year's pensionable emoluments will be payable to women officers on marriage provided that they have done a minimum of five years pensionable service. All that remains is to give legal effect to that proposal.

Reference was made in the course of the debate by the Mining Member to the Collieries—I have given the Council a piece of good news, and it is necessary for me to give now an item of bad news since I shall have to ask the Standing Committee of Finance to vote £106,000 representing the loss on working the Colliery in the current year. Because of the importance of that matter I have asked the Acting Inspector of Mines, and the Acting Colliery Manager to be available during the Meeting of the Select Committee to explain the reasons for the loss. Briefly, the reasons are of course a heavy shortfall in output which has resulted from labour troubles in the beginning of the year, and later by unexpected difficulties in mining operations.

In view of the lateness of the hour I propose to bring my remarks to a conclusion; one remark only I would make, and that is I would like to be perfectly candid and say that it was disappointing to me, and I have no doubt to you also, Sir, that one important part of the budget proposals should not have been supported by the Honourable Unofficial Members—I refer to the proposals to raise the rates of Income Tax. Nevertheless it is a matter of great satisfaction that the Budget policy provided in the draft estimates and the Appropria-

tion Bill has received so unreservedly the support of the Unofficial Members.

Bill read a second time.

The Hon. the Financial Secretary :

Sir, I rise to move that this Bill be now committed to a Select Committee consisting of the Standing Committee of Finance with the Honourable Development Secretary.

Bill referred to Select Committee.

The motion being adopted I take this opportunity to invite Members of the Committee to meet me in this Chamber at 11 a.m. tomorrow.

His Excellency :

Council will now adjourn until a day next week which will depend upon the conclusion of the Select Committee's deliberations and the printing of their report which will have to be laid on the table when we next meet. Honourable Members will be informed as early as possible which that day will be.

Council adjourned at 1.20 p.m. sine die.

Debates in the Legislative Council of Nigeria

Thursday, 28th March, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Thursday, the 28th of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.

The Director of Public Works,
The Honourable H. E. Walker, C.B.E.

The Director of Agriculture,
The Honourable A. G. Beattie.

The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

The Member for Calabar,
The Rev. and Honourable O. Efiog, O.B.E.

The Mining Member,
The Honourable H. H. W. Boyes, M.C.

The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.

The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.

The Member for the Cameroons Division,
The Honourable J. Manga Williams.

The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.

The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.

The Member for the Warri Division,
The Honourable J. Ogboru.

The First Lagos Member,
The Honourable E. A. Akerele.

The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.

The Member for the Ibo Division,
The Honourable E. N. Egbuna.

The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.

The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.

The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.

The Member for the Ijebu Division,
The Honourable T. A. Odutola.

The Second Lagos Member,
The Honourable I. Olorun-Nimbe.

The Commercial Member for Lagos,
The Honourable F. G. Frost.

The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

The Honourable E. A. Miller,
Commissioner of Labour.

- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.
- The Honourable W. B. Dare,
Commissioner of Income Tax.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

- The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Senior Resident, Ilorin Province,
Captain the Honourable J. P. Smith,
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.
- The Third Lagos Member,
The Honourable A. Adedoyin.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable G. F. T. Colby,
Administrative Secretary.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 22nd of March having been printed and circulated to Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Honourable the Chief Secretary to the Government laid the following paper on the table:—

Sessional Paper No. 7 of 1946—Report on the Accounts and Finances for the year 1944-45.

QUESTIONS

NOTE.—Replies to Questions Nos. 10-11 by the Honourable the Member for the Ondo Division, No. 34 by the Honourable the Member for Calabar, Nos. 35, 39, 44, 48, 49 and 94 by the Honourable the Second Lagos Member, No. 116 by the Honourable the Member for the Rivers Division, Nos. 118-120 by the Honourable the Member for the Ibibio Division, No. 123 by the Honourable the Second Lagos Member are not yet ready.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

12. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) How many persons have been detained in Government or Native Authority gaols in the Ondo and Kabba Provinces owing to the absence of Magistrates with powers to hold a preliminary investigation during the past two years? Please state periods of detention?

(b) Why, when an Officer is posted to a Province, judicial powers cannot be conveyed to him by telegram instead of awaiting a notice in the Gazette?

Answer—

His Honour the Chief Commissioner, Northern Provinces:

(a) None.

(b) Under the Magistrates' Courts Ordinance, 1943, Magistrates are appointed by name not by office and most Administrative Officers in the Northern Provinces have now been so appointed. Special appointments are not therefore necessary in most cases when an officer is posted to a Province. The grant of judicial powers to officers who have not previously held them is rarely a matter of immediate urgency: where it was of urgent importance, a new appointment would be notified by telegram.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

30. To ask the Honourable the Chief Secretary to the Government:—

(a) The number of individual capitalists undertaking mining operations in Nigeria?

- (b) What minerals are they mining?
- (c) How many companies or corporate bodies undertake mining in Nigeria and what minerals are they extracting?
- (d) Has any permission been granted to miners to explore and exploit minerals in the Eastern Provinces of Nigeria?
- If so for what minerals?

Answer—

The Hon. the Chief Secretary to the Government :

- (a) The number of mine operators, including Africans, is at present 89.
- (b) Cassiterite (Tin ore), Gold, Columbite, Tantalite and Wolfram.
- (c) 47; Cassiterite (Tin ore) Gold, Columbite, Tantalite and Wolfram.
- (d) Yes, Sir, one company to exploit Silver-lead in Ogoja Province and three individuals to explore for tin ore in Calabar Province.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

42. In view of the fact that the Colonial Office in London affirmed the declared policy of Sir William MacGregor, K.C.M.G., Governor of Lagos, in the year 1902, that it is not the "intention of the Government to supersede or destroy the existing native centres of authority" in the Yoruba country "but to strengthen and support them," will His Honour the Chief Commissioner, Western Provinces please state why the Government of Nigeria has since separated the Ekiti Confederacy from Ilesha its "Native Centre of Authority" notwithstanding the fact that Sir Gilbert T. Carter, Governor of Lagos, had successfully interfered in the long-drawn war between the Ibadans and the Ijeshas and effected a permanent peace between the belligerents in the year 1893 when all returned to their homes and resumed the *status quo* and the Owa of Ilesha was acknowledged the Supreme Head of the Ijesha and Ekiti people?

Answer—

The Hon. the Chief Secretary to the Government :

On the information available Government is not prepared to accept the statement contained in the last two lines, and therefore is not in a position to answer the question which becomes hypothetical.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

43. To ask the Honourable the Chief Secretary to the Government:—

- (a) Whether the "Southern Nigeria Civil Service List and Handbook, 1909," printed by Waterloo and Sons, Limited, London Wall, and published in the same year by Wyman Sons, Limited, Fetter Lane, Fleet Street, London, E.C., was prepared and issued by authority of Government?

(b) If so, whether any of the fixed lines and natural features described as the boundaries of each of the eleven districts of the Western Provinces, the fourteen districts in the Central Provinces and the twenty districts in the Eastern Provinces in that official publication has since been altered?

(c) If any boundary has been altered, what would be the reason or reasons for the alteration?

(d) Would the alteration have taken place at the request and with the mutual consent of either or both of the parties abutting such boundary?

Answer—

The Hon. the Chief Secretary to the Government :

(a) "The Southern Nigeria Civil Service List and Handbook 1909" was published "By Authority" but records are not now available to show whether it was prepared and/or issued by the authority of the Nigeria Government or by the Colonial Office.

(b) Yes, Sir.

(c) These boundaries were fixed to meet the administrative needs of the times and did not necessarily conform with tribal or clan boundaries. Alterations have been made from time to time to ensure the most efficient administration of the territory.

(d) It is not considered that the work involved in compiling a statement of the reasons for every alteration that has been made in provincial or divisional boundaries since 1909 would be justified.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

45. To ask His Honour the Chief Commissioner, Western Provinces, what steps had the Government ever taken to uphold the policy of the grading of First Class and Second Class Chiefs among the Natural Rulers at the Conference of Obas of the Western Provinces generally held at Ibadan in terms of paragraph 26 on page 307 of Lugard's Political Memoranda No. IX—Native Administration, particularly the portion which refers to "Only those Chiefs who own allegiance to no other and are described as 'paramount' or Principal Chiefs, etc."

Answer—

The Hon. the Chief Secretary to the Government :

The precedence of Chiefs is a matter to be settled when the need arises in consultation with the Chiefs' Conference.

The First Lagos Member (The Hon. E. A. Akerele) :

46. To ask His Honour the Chief Commissioner, Western Provinces :—

(a) Whether Government has ceased to recognise the official classification of Chiefs?

(b) If not, what classes of Chiefs are the following :

- (1) The Oni of Ife
- (2) The Alafin of Oyo
- (3) The Alake of Abeokuta

- (4) The Oba of Benin
- (5) The Awujale of Ijebu-Ode
- (6) The Olubadan of Ibadan
- (7) The Owa of Ilesha
- (8) The Akarigbo of Ijebu-Remo
- (9) The Orangun of Illa
- (10) The Obi of Aboh
- (11) The Otaru of Auchi
- (12) The Olu of Itsekiri

(c) On what basis are the classifications made?

(d) Which of the Chiefs mentioned are recognised by the Government as direct descendants of Oduduwa?

(e) Which of them are recognised Crowned Heads?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) No, Sir.

(b) and (c) For the information he seeks the Honourable Member is referred to paragraph 26 on pages 307-8 of Lord Lugard's Political Memoranda (1918 Edition) Government Notice No. 104 appearing in the *Gazette* of 13.9.1917; and to subsequent Notices under the Native Authority Ordinance appearing at pages 599 *et seq* of the 1933 Supplement to the laws, pages 855 *et seq* of the 1933 Supplement pages 655 *et seq* of the 1934 Legislation.

(d) and (e) Where it is required, official recognition is accorded to Chiefs who in the opinion of Government have been properly selected in accordance with Native Law and custom by those entitled to make the selection. It is not considered necessary or desirable that Government should accord specific recognition to descent from a particular ancestor or to title to particular regalia.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

47. To ask His Honour the Chief Commissioner, Western Provinces :—

(a) Whether it is true that a £10,000 Palace is to be built at Ibadan for the Olubadan of Ibadan?

(b) If the answer be in the affirmative, whether the £10,000 or total cost of such a building will be from the public revenue of Nigeria, the Native Administration Revenue, or from the private purse of the Olubadan of Ibadan?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) and (b) The Olubadan and Council have inserted such an item in the Ibadan Native Administration Draft Estimates for 1946-47. It has not yet received the approval of His Honour the Chief Commissioner.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

50. To ask the Honourable the Director of Medical Services :—

(a) How many African Sanitary Inspectors in the Medical Department are now holding certificates of competency or proficiency under the Seal of the Royal Sanitary Institute?

(b) What are the substantive appointments held by Sanitary Inspectors who hold these royal certificates and what is their rate of annual salary?

(c) What are the regular hours of duty before and after noon fixed for the European Medical Officers attached to the European Hospital at Onikan in Lagos?

Answer—

The Hon. the Director of Medical Services :

(a) Fifty-one Sanitary Inspectors.

(b) (i) Two Sanitary Superintendents on the scale rising from £310 per annum by annual increments of £15 to £400.

(ii) Three Senior Sanitary Inspectors on the scale rising from £240 by annual increments of £12 to £300.

(iii) Fourteen First Class Sanitary Inspectors on the scale rising from £140 by annual increments of £10 to £220.

(iv) Thirty-two Second and Third Class Sanitary Inspectors on scales £48 for two years, then by annual increments of £6 to £72 and from £80 by annual increments of £8 to £128.

(c) The two European Medical Officers begin work at the European Hospital at 8 a.m. Both remain at the Hospital until 1 p.m. and for as long after that as is necessary to complete their work. Both spend a considerable time in visiting patients in their quarters and both visit the European hospital in the evenings to see their patients. In addition one of the two is continuously on call at all times for emergencies.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

59. To ask the Honourable the Chief Secretary to the Government what has become of the large Electric clock that was fixed outside the Parcels Post Office in Tinubu Street some years ago for the benefit of the Public; and to ask why it has been removed?

Answer—

The Hon. the Chief Secretary to the Government :

Departmental Records do not show the present whereabouts of this clock which was removed about 1930. It was removed because it suffered damage from the weather and other causes and did not keep good time.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

64. To ask the Honourable the Director of Education:—

(a) What is the percentage of Nigerian Children of school age attending school compared with the total population of twenty-three million?

(b) How many European Education Officers are on the staff of the Education Department who are supervising that percentage of school children in Nigeria?

(c) What is the cost to the Revenue of these officers in salaries, allowances, passages, quarters and annual leave pay for one year?

(d) How many Government Schools are now existing in Nigeria—Elementary, Secondary and higher institutions? and what amount do they cost the revenue annually in teachers, equipment, and upkeep?

(e) How many African Education Officers are on the staff of the Education Department in Nigeria? And what are they costing the revenue annually?

Answer—

The Hon. the Director of Education :

(a) Owing to the impossibility of obtaining precise statistics during the war years only approximate figures can be given. If the term "children of School age" is construed as meaning children aged between six and fourteen years, it is estimated that there are over 3,000,000 such children in the Territory of whom between 400,000 and 425,000 are attending primary schools. Thus approximately fourteen per cent of children of school age receive a primary schooling.

(b) There are at present 34 European Officers of the Education Department a part of whose duties includes the supervision of primary education in the Territory.

(c) The approximate cost is £39,000 per annum.

(d) Government Primary Schools thirty-one—Approximate cost £46,200.

Government Secondary Schools five—Approximate cost £36,400.

Government Post Secondary Schools one—Approximate cost £8,200.

(e) Four. The approximate cost is £1,600 per annum.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

68. To ask the Honourable the Director of Medical Services to give:—

(a) The reason or reasons why there are two separate Hospitals on the Island of Lagos, and why one is designated "European" Hospital, and the other "African" Hospital?

(b) To ask why the European Medical Officers attached to the Public Hospitals run at the expense of the Public Revenue are allowed by Government to do private practice in and out of the hospitals in competition with private practitioners?

(c) To ask why a gate-fee is charged at the African Hospital and paid by every outdoor patient who seeks medical attention daily at that Hospital?

(d) What is the fee and how is it disbursed?

Answer—

The Hon. the Director of Medical Services :

(a) There are three separate hospitals on Lagos Island; those named in the question and Massey Street Maternity Hospital. The designations of these hospitals indicate the principal purposes for which they are used.

(b) It is at present a term of the agreement on which all Government Medical Officers are engaged that they should be allowed to participate in private practice.

(c) No gate-fee as such is paid. Presumably the Honourable Member refers to fees charged for treatment which are levied in accordance with the Hospital Fees Ordinance.

(d) In Lagos threepence on first attendance and in the case of patients receiving medicine threepence for subsequent issues and for those requiring dressings a further charge of threepence twice weekly, paupers being exempted from payments at the discretion of the Almoner. All fees so collected are paid to the Accountant-General and credited to Revenue.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

70. To ask the Honourable the Director of Medical Services:—

(a) How many European Medical Officers are engaged in the Medical Department in Nigeria; how many are at present in Nigeria and how many are on leave?

(b) How and where are they posted for duty?

(c) How many African Medical Officers are engaged in the Medical Department in Nigeria and how and where are they posted?

(d) How many Yaba Students have been engaged by the Medical Department in Nigeria as Licentiates of the School of Medicine of Nigeria? How and where are they posted?

Answer—

The Hon. the Director of Medical Services:

(a) 118, 89 and 29 respectively.

(b) Lagos—23; Aba—1; Abeokuta—1; Akure—1; Bamenda—1; Buea—2; Benin—2; Calabar—1; Enugu—3; Ibadan—2; Ijebu—1; Ikot Ekpene—2; Kumba—1; Obubra—1; Ogoja—1; Oji River Leper Settlement—2; Okigwi—1; Onitsha—1; Oshogbo—1; Ossiomo Leper Settlement—1; Port Harcourt—2; Sapele—1; Uzuakoli Leper Settlement—2; Umuahia—1; Udi (Administrative Leprosy Unit)—1; Victoria—2; Warri—1; Bauchi—1; Bida—1; Gusau—1; Ilorin—1; Jos—3; Kaduna—2; Kano—5; Katsina—1; Lokoja—1; Maiduguri—1; Makurdi—1; Minna—1; Pankshin—1; Sokoto—1; Yola—1; Zaria—2; Sleeping Sickness Service—4; Barakin Ladi Minesfield—2.

(c) 26 (1 on active service). No. on leave=3. Lagos—6; Aba—1; Agbor—1; Calabar—1; Degema—1; Forcados—1; Ibadan—1; Mamfe—1; Opobo—1; Owerri—1; Azare—1; Hadeija—1; Jos—1; Kaduna—1; Kafanchan—1; Wukari—1; Zaria—1.

(d) 41 (6 have since left) No. on leave=3. Lagos—10; Aba—1; Abeokuta—1; Buea—1; Calabar—1; Enugu—2; Ibadan—2; Ijebu Ode—1; Onitsha—1; Port Harcourt—2; Tiko (Plantation Hospital)—2; Ilorin—1; Jos—2; Kano—2; Katsina—1; Anchau (Sleeping Sickness)—1; Bukuru Minesfield Post—1.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

71. To ask the Honourable the Director of Medical Services how many Yaba students have obtained the certificates of Licentiate of the School of Medicine of Nigeria? How many have left the Service of the Government?

Answer—

The Hon. the Director of Medical Services :

Forty-one and six respectively. Of the latter three resigned, one died and two were invalidated.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

72. To ask the Honourable the Chief Secretary to the Government whether Government will not be disposed to relax the war-time restrictions on motor traffic and transport facilities carried on between the Colony and the Provinces and in the various areas in the districts of the Provinces of Nigeria where railway traffic is not available as the war is now over and victory has been won?

Answer—

The Hon. the Chief Secretary to the Government :

Existing restrictions are mainly necessitated by the present shortage of tyres. They will be relaxed as soon as the situation permits.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

73. To ask the Chief Secretary to the Government whether, as a temporary measure at least, Government will not approve of the increase of the number of motor lorries to be serving the following provincial areas in the Southern and Northern Protectorates of Nigeria :—

- (i) Ibadan Railway Station. Oyo—Ogbomosho.
- (ii) Ibadan Railway Station. Ife—Ilesha.
- (iii) Oshogbo Railway Station. Ilesha—Asaba—Onitsha.
- (iv) Offa Railway Station. Oro—Omu Aran.
- (v) Ilorin Railway Station. Oro Ago—Oke Ode.

in consideration of the disabilities and inconveniences due to the shortage of transport facilities during war-time?

Answer—

The Hon. the Chief Secretary to the Government :

There are at present over one hundred and sixty lorries operating on routes (i) to (v) and in view of the necessity to conserve existing stocks of tyres, no immediate increase in the number of lorries operating on these routes is possible.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

75. Will Government please give a statement showing :—

(a) How much Government has expended to erect control stalls, offices, stores, depots, etc., in various centres at Lagos, Iddo, and elsewhere for the carrying out of the Pullen Scheme?

(b) How much has been spent in salaries of the European Staff including the Controller, the African male and female Staffs connected with the Pullen Scheme?

(c) How much has been paid out of the revenue or sale of food-stuffs as commission to European and African contractors and how much as wages to labourers employed?

(d) What amount has been paid to the producers of native food-stuffs in Lagos, and in the Provinces?

(e) What amount represents the total profit or the total loss on the whole transaction from the commencement of the system to date?

Answer—

The Hon. the Chief Secretary to the Government :

(a) £5,778.

(b) Up to 30th September, 1945. European salaries £4,716. African staff, messengers and watchmen £7,274.

(c) Aggregate amounts paid out in commission are not available. European firms were paid 8s per ton of which 6s was for their African buyers and 2s to cover their out-of-pocket expenses. African contractors were paid 12s per ton commission. Labourers were paid on a piecework basis of 1d bag for loading and unloading.

(d) As the accounts do not show separately the cost to the producer, the freight and other charges, the total amount actually paid to producers cannot be stated. Wherever there is a controlled price in the producing area the maximum controlled price has been paid to the producer.

(e) Up to 30th September, 1945, the last date on which audited figures are available, the nett loss was £4,685 8s 10d, exclusive of the salaries, amounting to £4,672, of Administrative Officers seconded to the Scheme. The loss does not include the cost of Government food subsidies during the period June to September 1945.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

79. To ask the Honourable the Chief Secretary to the Government:—

(a) How is the scale of salary of African Labour Officers trained in the United Kingdom determined?

(b) With the same qualifications, why are the Africans appointed Assistant Labour Officers and their European colleagues are called Labour Officers?

Answer—

The Hon. the Chief Secretary to the Government :

(a) There are at the present time no African Labour Officers either trained in the United Kingdom or elsewhere. The comparative salary scales for Africans holding superior posts were determined by Government for the service as a whole and are not peculiar to the Labour Department.

(b) The qualifications for Assistant Labour Officers and Labour Officers are not the same. African Assistant Labour Officers, if and when they are considered suitably qualified, are eligible for promotion to the post of Labour Officer.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

89. To ask the Honourable the General Manager, Nigerian Railway:—

(a) Whether during the period April 1931 to March 1937 Railway Workers employed within Ebute Metta limits of the Civil Engineering Department of the Nigerian Railway were paid in respect of Saturdays four hours' pay only for five hours' work extending from 7.00 to 12 noon?

(b) Whether during the same period those employed throughout the line outside Ebute Metta were employed for eight hours, *i.e.*, from 7.00 to 16.00 hours on Saturdays instead of 5 hours as in all other Government Departments, without any overtime pay?

(c) Will the Railway Authorities now consider the payment of equitable compensation in this connexion?

Answer—

The Hon. the General Manager of the Railway:

(a) During the period in question it was a condition of employment in the Civil Engineering Department Yard, Ebute Metta, that daily rated men required to work on Saturday mornings should receive half a day's pay.

(b) Similar conditions applied throughout the line in respect of that class of daily-rated men which since 1937 has become eligible for a full day's pay for working five hours on a Saturday *i.e.* it was, up to 1937, necessary in some cases to work eight hours on a Saturday in order to become eligible for a full day's pay. It is impossible at this late date to ascertain in detail where and to which specific men this arrangement applied but it was clearly a condition of service at the time. The underlying principle was that, although the period 1931-1937 was one of great financial stringency, every effort was made to minimise retrenchment of staff. This was done by, where possible, working a five day (forty hour) week and where Saturday work was essential by requiring eight hours work for a full day's pay.

(c) Does not arise.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

90. To ask the Honourable the General Manager, Nigerian Railway:—

(a) Whether from 1st April 1931 to 30th September 1941 inclusive Railway Workers employed in the Motors Section of the Traffic Department of the Nigerian Railway were paid an equivalent of wages representing 45 hours per week instead of 48 as paid in other departments?

(b) Whether any representations have been received by the Railway Authorities from the Railway Workers' Union on the subject, and if so what action has been taken or is contemplated?

Answer—

The Hon. the General Manager of the Railway :

(a) During part of the period in question, it was the practice in the Motors Section, in common with other Departments including the Railway Civil Engineering Department, to pay half a day's pay for work performed on Saturday mornings. The reasons for this are explained in the answer to Question No. 89.

(b) Yes. The position has again been explained to the Union.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

91. To ask the Honourable the General Manager, Nigerian Railway :—

(a) Whether from 1st April, 1931 to 30th September, 1941 inclusive Railway Workers employed in the Workshops and Carriage and Wagon Sheds were paid an equivalent of wages representing 45 hours per week instead of 48 as paid in other departments?

(b) Whether as a result of representations made by the Railway Workers' Union and after due reconsideration by the management a sum of £22,000 was voted by the Finance Committee of the Legislative Council in 1945 to cover the short payments. If so,

(i) Of the amount of £22,000 so voted, how much has actually been paid?

(ii) Is it a fact as far back as May last year, and from time to time since, large numbers of petitions have been lodged with the Railway Administration by the workers protesting against various anomalies in the computations of individual awards? If so, what action is being taken or contemplated in order to dispose of this subject once and for all, and in time to avoid any necessity for a revote of the requisite funds?

Answer—

The Hon. the General Manager of the Railway :

(a) A number of workers in the Railway Mechanical Department previously on daily rates were converted in 1931 to hourly rates which did not in some cases give the exact equivalent total earnings as the previous daily rates. Some men gained, others lost. Losses were made good in 1941 but gains were not recovered.

In 1937 there was a wages award which, in some cases, when expressed in hourly rates, yielded lower total earnings than if the award had been applied in terms of daily rates.

(b) The £22,000, was mainly to adjust the 1937 award but opportunity was taken to review the whole period 1931-1941 including recovery of the original gains referred to in (a) above.

(1) £21,588.

(2) 208 Railway servants have complained that they have been incorrectly paid. In only one case, however, was any indication given either as to how much they considered they were short paid or how they arrived at the figure claimed.

As the Railway calculations have been checked and found correct in accordance with the method agreed by the Union, it is not possible to proceed in the absence of more detailed claims.

A number of petitioners have been shown the calculations and expressed themselves satisfied. All claimants are being invited to amplify their claims.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

93. Adverting to His Excellency's Speech to this Council on the 10th December, 1945, and in face of the recent repeal by the British Parliament of the Trade Unions and Trade Disputes Act, 1927, to ask the Honourable the Chief Secretary to the Government whether Government has under contemplation any measures to bring the law as affecting strikes and ancillary matters amongst civil servants in Nigeria in line with the law as it now stands in the United Kingdom?

Answer—

The Hon. the Chief Secretary to the Government :

The law governing Trade Unions in Nigeria is to be found in the Trade Unions Ordinance, 1938, which does not embody the provisions of the Trade Unions and Trade Disputes Act, 1927. There is, therefore, no reason to amend the Nigerian Law.

Trade Union law does not protect any person who terminates his contract by withholding his work from the legal consequences of that termination and, in the case of permanent and pensionable employees of Government, Government has no intention of entering into a fresh contract with men who terminate their existing contracts in this way. In this connection the Honourable Member may be interested to learn that during the recent debate in the House of Commons on the Trade Dispute and Trade Unions Bill, it was agreed by the present Labour Government that a strike to coerce the Government was wrong.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan) :

102. To ask the Honourable the Director of Public Works:—

(a) Whether any of the Technical Assistants attended departmental school courses and if any, how many have passed out successfully? And if none, will he be good enough to establish such a school in the North and the South respectively to enable aspiring Assistants to take examinations to qualify them for promotion to the Junior Technical Staff grade?

(b) Of the number in the Junior Technical Staff, how many have been converted to the Engineer grade?

(c) Is there in Lagos any hostel for Technical Students? If none, will the Director be good enough to put under consideration the erection of one?

Answer—

The Hon. the Director of Public Works :

(a) No school courses are arranged for Technical Assistants, whose duties are not suitable for teaching in such a course, and it is not intended to establish courses for this purpose. The instruction

given is considered adequate. The educational qualifications for this grade are comparatively low and it is not regarded as a method of entry to the Technical Staff for which the minimum qualification is Middle VI and a competitive examination. There is however provision for transfer from Technical Assistant Grade to Engineering Assistant Grade in the case of men of outstanding merit and only one man has so far qualified.

(b) Three.

(c) The attention of the Honourable Member is invited to the Reply to Question No. 57 given in the last session of this Council.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari) :

114. To ask the Honourable the Chief Secretary to the Government is the Government aware of the serious discomfort and grave anxiety caused to many African Civil servants transferred to Townships like Lagos and Port Harcourt owing to the shortage of accommodation? If so, what immediate steps are being taken to remedy this condition?

Answer—

The Hon. the Chief Secretary to the Government :

Yes, Sir. Honourable Member's attention is, however, invited to the answer to Question No. 26.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari) :

115. To ask the Honourable the Director of Medical Services whether he is aware that some of the married nurses at Port Harcourt live in a room of only 10 feet × 10 feet.

If so, what are his plans for immediate improvement?

Answer—

The Hon. the Director of Medical Services :

No, Sir. Married nurses occupy the quarters and each has two rooms with a front verandah.

The First Lagos Member (The Hon. E. A. Akerele) :

117. To ask His Honour the Chief Commissioner, Western Provinces :—

(a) Whether it is a fact that the Executive Council of the Federal Union of Native Administration Staffs of Nigeria has been told that it cannot negotiate direct with His Honour on matters of general principles?

(b) If the answer is in the affirmative, which of the Native Authorities of the Western Provinces has been recognised by His Honour and the other Native Authorities for the purpose of affording the Executive Council of Funas the opportunity of effective negotiation on questions of general policy?

(c) In view of the absence of a Central Authority for the Western Provinces other than His Honour the Chief Commissioner, would His Honour be prepared to negotiate direct, as was the practice up

to recently, with the Executive Council of the Federal Union of Native Administration Staffs of Nigeria on matters of general interest to Native Administration workers of the Western Provinces?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) Yes. The proper channels for the discussion of matters affecting Native Administration Staff, including matters of policy or principle, have been indicated to the Executive Council of FUNAS.

(b) None.

(c) No Sir.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

121. Referring to the passage :

“ He is further satisfied that it is desirable that the Government should have power to acquire land for the purpose of rural development and settlement, and that such power is not contrary to the interests and welfare of the people as a whole.”

which occurs in the first paragraph of letter No. 44154/161 of the 11th of October, 1945, in which the Honourable the Chief Secretary to the Government conveyed to the General Secretary of the National Council of Nigeria and the Cameroons the reply of the Rt. Hon. the Secretary of State for the Colonies to the Antithesis submitted by the President of the National Council on the Public Lands Acquisition (Amendment) Ordinance, 1945, passed at the Budget Session 1945 of the Legislative Council of Nigeria, to ask the Honourable the Chief Secretary to the Government :—

(a) Whether the “ rural development ” mentioned in that communication has any reference to the establishment, anywhere in the Protectorates of Nigeria, of a system of plantations on Communal Lands of the Natives of the Protectorates purchased by the Government to be transferred on lease to capitalists abroad?

(b) Whether the “ settlement ” mentioned in the same communication refers to the immigration of non-natives of Nigeria from other parts of the Empire who are to become settlers in the Protectorates among the indigenous inhabitants?

Answer—

The Hon. the Chief Secretary to the Government :

(a) No, Sir.

(b) No, Sir.

The Second Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

122. To ask the Honourable the Director of Medical Services :—

Do the European Medical Officers in the Provinces attend the Aboriginal inhabitants?

Answer—

The Hon. the Director of Medical Services :

Yes, Sir.

MOTIONS

The Honourable the Financial Secretary :

Your Excellency, I rise to move the adoption of the Customs (Increase of Duties—Tin or Tin Ore) Resolution and Order, 1946. By this Resolution the Export Duty on Tin is increased from 1s 6d per ton to 6s 8d per ton. The purpose of this Resolution is not to raise revenue in the ordinary sense. Although the Duty in question is described as an Export Duty, it could more properly be called a cess since the proceeds will represent the contribution of the Nigerian Tin Mining Industry to the International Tin Research and Development Council, in connection with the large programme of research which is to cost £100,000 per annum over a period of five years. The present annual contributions from Nigeria to the International Council is £1,804, made up of contributions of £300 each from the Government and the United Africa Company, Limited, and £1,204 from the Mining Industry. The proposal of the International Council is that the various tin producing countries should contribute the cost of the research scheme in proportion to their tin producing capacity. This would mean a total contribution by Nigeria of £7,500 per annum which will be paid in the present proportions by the Government, the United Africa Company and the Tin Mining Industry.

If full effect is given to this scheme this would mean an annual contribution of £5,000 per annum by the Nigerian Tin Mining Industry, and the purpose of this increase is to provide that sum.

While the Nigerian Chamber of Mines has not yet definitely agreed to contribute £5,000 over a period of five years, it has agreed to the proposed increase on the Export Duty.

It will be noted that the date on which this Duty is to come into force will be notified in the Gazette. This is because we do not know yet when the contribution will be expected from Nigeria.

The Honourable the Acting Comptroller of Customs and Excise :

Sir, I beg to second.

Resolution adopted.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Your Excellency, I rise to move the Motion standing in my name to make an amendment in that Motion in accordance with decisions which were arrived at during the sittings of the Select Committee on the Budget. The proposed amendment will be circulated to Council this morning, and really amounts I think to a modification of the amount to be provided under Marine development and consequently an amendment to the total. The purposes of this Motion, Sir, are to provide finance required in connection with the expenditure shown under Appendix I of the Estimates as modified during the sitting of the Select Committee. A copy of these Estimates . . . revised Appendix I were circulated to Select Committee and a copy of the

revisions have been placed on the table and the desks of the Official Members this morning. The purpose of this Resolution is that money may be advanced from Nigerian Reserve Funds in anticipation of the loan to be raised under the Development Loan Ordinance at a later stage, probably in the year 1948-49. I will read the Motion as amended.

“Whereas it is provided that certain projects under the Ten-Year Development Plan for Nigeria (Sessional Paper No. 24 of 1945, as amended and approved by the Legislative Council on the 7th of February, 1946) should be financed from the loan authorised by the Development Loan Ordinance, 1945, and whereas it is not intended that such a loan should be raised until 1948 or 1949, and whereas for these reasons it will be necessary to incur expenditure on the aforesaid projects in anticipation of the raising of the loan :

“Be it resolved : That this Council signifies its approval of a further expenditure of £1,676,700 from surplus balances standing to the credit of this Government for the following purposes :—

	£
A. Urban Water Supplies	35,100.
B. Building Programme for Development	159,900
C. Electricity Development	60,400
D. Development of General Education—Schools and Institutions	260,000
E. Marine Development	906,850
F. Nigeria Local Development Board	250,000
G. Road Development	4,450
	<hr/>
	£1,676,700

The amendment, Sir, in connection with Marine Development is in order to bring forward certain proposals in the Marine programme of works and to provide certain additional costs for vessels required for the Marine Development programme. Sir, I beg to move.

The Honourable the Financial Secretary :

Sir, I rise to second.

Resolution adopted.

BILLS

(First Reading)

THE INCREASE OF RENT (RESTRICTION) (AMENDMENT)

ORDINANCE, 1946

The Honourable the Attorney-General :

Sir, I rise to move that a Bill entitled :

“An Ordinance to amend the Increase of Rent (Restriction) Ordinance, 1946.”

be read a first time. After this Bill was passed last Session an error was discovered in section 10 ; where there was a reference to the First Schedule there should have been a reference to the Second Schedule. This Bill corrects that error and the opportunity has been taken at the same time to substitute a new table in Schedule One. In the First Schedule there was a table showing the increases of rent on a yearly basis : the rates now in most places are on a six monthly basis and the table has been adjusted accordingly.

Sir, I beg to move.

The Honourable C. W. Reece (Acting Solicitor-General) :

Your Excellency, I beg to second.

Bill read a first time.

The Honourable the Attorney-General :

Sir, I rise to give notice that at a later date in this Meeting I will move the second reading of this Bill.

(Second and Third Readings)

THE TEMPORARY INCREASE OF PENSIONS (NON-EUROPEAN OFFICERS)
(AMENDMENT) ORDINANCE, 1946

The Honourable the Financial Secretary :

Sir, I rise to move the second reading of a Bill entitled :

“An Ordinance to amend the Temporary Increase of Pensions (Non-European Officers) Ordinance, 1945.”

The Honourable C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-3.

Council resumed.

The Honourable the Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Honourable C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE TEMPORARY INCREASE OF PENSIONS (EUROPEAN OFFICERS,
WIDOWS AND ORPHANS) (AMENDMENT) ORDINANCE, 1946

The Honourable the Financial Secretary :

I rise to move the second reading of a Bill entitled :

“ An Ordinance to amend the Temporary Increase of Pensions
(European Officers, Widows and Orphans) Ordinance, 1945.”

The Honourable C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1 and 2.

Council resumed.

The Honourable the Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Honourable C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE PUBLIC HEALTH (AMENDMENT) ORDINANCE, 1946

The Honourable the Director of Medical Services :

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to amend the Public Health Ordinance.”

The Honourable C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-5.

Council resumed.

The Honourable the Director of Medical Services :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Honourable C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) ORDINANCE,
1946

The Hon. the Director of Medical Services :

Your Excellency, I rise to move the second reading of a Bill entitled :

“ An Ordinance to amend the Medical Practitioners and Dentists Ordinance, 1934.”

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1 and 2.

Council resumed.

The Hon. the Director of Medical Services :

I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Comptroller of Customs and Excise :

Your Excellency, I rise to move the second reading of a Bill entitled :

“ An Ordinance to amend the Wild Animals Preservation Ordinance, Chapter 99.”

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1 and 2.

Council resumed.

The Hon. the Acting Comptroller of Customs and Excise :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE MAGISTRATES' COURTS (APPEALS) (AMENDMENT) ORDINANCE, 1946

The Hon. the Attorney-General :

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to amend the Magistrates' Courts (Appeals) Ordinance, 1945.”

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1 to 5.

Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE LOCAL LOANS (REGISTERED STOCK AND SECURITIES) ORDINANCE,
1946

The Hon. the Financial Secretary :

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to make provision for the creation and issue of Registered Stock, Government Promissory Notes and Bearer Bonds for the purpose of raising loans in Nigeria.”

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-48.

Council resumed.

The Hon. the Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to second.

Bill read a third time and passed.

THE NIGERIA (TEN-YEAR PLAN) LOCAL LOAN ORDINANCE, 1946

The Hon. the Financial Secretary :

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to authorize the raising in Nigeria of a loan not exceeding One Million Pounds for purposes in connection with the Ten-Year Plan of Development and Welfare for Nigeria, and for such other purposes as may from time to time be approved.”

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-3.

Council resumed.

The Hon. the Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to second.

Bill read a third time and passed.

THE LABOUR CODE (AMENDMENT) ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour) :

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to amend the Labour Code Ordinance, 1945.”

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-8.

The Hon. E. A. Miller (Commissioner of Labour) :

Clause 8. Sir, I beg to move that clause 8 be amended by deleting (a) the word “ Every ” where it occurs in sub-section (1) thereof and substituting the following therefor :—

“ subject to the provisions of sub-section (7) every ” ; and

(b) by adding thereto the following new sub-section :—

“(7) Notwithstanding the other provisions of this section, the Commissioner of Labour may, in his discretion, approve a standard form of contract to be used by any particular person or firm and when such approved form of contract is used individual attestation by an authorized labour officer shall not be necessary, but the employer shall render to the Commissioner of Labour a quarterly return of all persons newly employed during each quarter under such approved form of contract together with a certificate that the terms and conditions thereof were read over to and understood by the worker before he signed such contract.”

Amendment approved.

Clauses 9-16.

The Hon. E. A. Miller (Commissioner of Labour) :

Clause-16. Sir, I beg to move that this clause be amended by deleting the letter “(e)” in the third line thereof and substituting the letter “(c)” therefor.

Amendment approved.

Clauses 17-18.

Council resumed.

The Hon. E. A. Miller (Commissioner of Labour) :

Sir, I beg to report the Bill from Committee with two amendments. I beg to move that the Bill as amended be now read a third time and passed.

The Hon. the Attorney-General :

Sir, I beg to second.

Bill read a third time and passed.

THE REGISTRATION OF NURSES ORDINANCE, 1946

The Hon. the Director of Medical Services :

Sir, I rise to move the second reading of a Bill entitled :

“An Ordinance to provide for the Registration of Nurses for the Sick and for the Control, Regulation and Training of such Nurses.”

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-12.

First Schedule.

Second Schedule.

Council resumed.

The Hon. the Director of Medical Services :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

THE 1944-45 SUPPLEMENTARY APPROPRIATION ORDINANCE, 1946

The Hon. the Financial Secretary :

Your Excellency, I beg to move the second reading of a Bill entitled :

“ An Ordinance to make Supplementary Provision 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 forty-five.”

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1 and 2.

First Schedule.

Second Schedule.

Third Schedule.

Preamble.

Council resumed.

The Hon. the Financial Secretary :

Your Excellency, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to second.

Bill read a third time and passed.

THE NON-EUROPEAN OFFICERS' PENSIONS (1945 STRIKE) ORDINANCE,
1946

The Hon. the Attorney-General :

Sir, I rise to move the second reading of a Bill entitled :

“ An Ordinance to provide that the break in Service in the case of certain Government Servants arising out of the strike which occurred in the year One thousand nine hundred and forty-five may be disregarded and that such period may be counted for continuity of service under the provisions of the pensions law.”

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-4.

Preamble.

Council resumed.

The Hon. the Attorney-General :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Financial Secretary :

Sir, I beg to second.

Bill read a third time and passed.

His Excellency :

Council will now adjourn until 10 o'clock tomorrow morning.

Council adjourned until 10 a.m. on Friday the 29th of March.

Committee appointed under the act on March 10th 1866. A report

thereon will soon appear and the first of our report follows.

The Expenditure:

Has only a slight increase

and is not serious.

The How the Financial Statement:

is more than the bill before you a slight one, well passed.

and I beg to report the bill from Committee without amendment. I beg

The How the Amended-Report:

is more correct

and more

correct than

any one ever before

known in Committee.

Will read to you now

and I beg to report.

The How the Financial Statement:

the provisions of the bill are now

and that such provisions may be amended for the benefit of the State and

the State and the provisions of the bill are now and the bill is now

and I beg to report the bill from Committee without amendment. I beg

The How the Amended-Report:

is more

correct than any one ever before known in Committee.

Will read to you now

and I beg to report.

The How the Amended-Report:

is more

correct than

Debates in the Legislative Council of Nigeria

Friday, 29th March, 1946

Pursuant to notice thè Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Friday, the 29th of March, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Chief Secretary to the Government,
The Honourable G. Beresford Stooke, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour Sir Gerald C. Whiteley, C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour F. B. Carr, C.M.G.
- The Acting Chief Commissioner, Northern Provinces,
His Honour Commander J. H. Carrow, C.M.G., D.S.C.,
R.N. (Retd.)
- The Attorney-General,
The Honourable G. L. Howe.
- The Financial Secretary,
The Honourable S. Phillipson.
- The Director of Medical Services,
Dr the Honourable J. W. P. Harkness, C.M.G., O.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Acting Comptroller of Customs and Excise,
The Honourable C. W. Hayward.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Onitsha Province,
The Honourable D. P. J. O'Connor, M.C.

The Resident, Abeokuta Province,
The Honourable E. N. Mylius.

The Director of Public Works,
The Honourable H. E. Walker, C.B.E.

The Director of Agriculture,
The Honourable A. G. Beattie.

The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

The Member for Calabar,
The Rev. and Honourable O. Efiog, O.B.E.

The Mining Member,
The Honourable H. H. W. Boyes, M.C.

The First Lagos Member,
The Honourable Ernest Ikoli.

The Member for Shipping,
The Honourable G. H. Avezathe, C.M.G.

The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.

The Member for the Cameroons Division,
The Honourable J. Manga Williams.

The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.

The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.

The Member for the Warri Division,
The Honourable J. Ogboru.

The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.

The Member for the Ibo Division,
The Honourable E. N. Egbuna.

The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.

The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.

The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.

The Member for the Ijebu Division,
The Honourable T. A. Odutola.

The Third Lagos Member,
The Honourable I. Olorun-Nimbe.

The Commercial Member for Lagos,
The Honourable F. G. Frost.

The Honourable E. W. Cannell,

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable G. F. T. Colby,
Administrative Secretary.
- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable W. C. C. King, C.M.G.,
Commissioner of Police.
- The Honourable W. B. Dare,
Commissioner of Income Tax.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

- The Deputy Chief Secretary to the Government,
The Honourable T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Bornu Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Senior Resident, Ilorin Province,
Captain the Honourable J. P. Smith.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Cameroons Province,
The Honourable R. J. Hook, D.F.C.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 28th of March having been printed and circulated to Honourable Members, were taken as read and confirmed.

OATH

The Honourable Ernest Ikoli, First Lagos Member, took the Oath as a Member of the Council.

ANNOUNCEMENT

By direction of the Governor the Clerk communicated to the Council the following Certificate addressed to His Excellency by His Honour the Acting Chief Justice:—

IN THE SUPREME COURT OF NIGERIA
IN THE COURT OF THE LAGOS JUDICIAL DIVISION
IN THE MATTER OF THE NIGERIA (LEGISLATIVE
COUNCIL) ORDER IN COUNCIL, 1922

AND

IN THE MATTER OF AN ELECTION FOR THE MUNICIPAL
AREA OF LAGOS HOLDEN ON THE 15TH DAY OF
MARCH, 1946

BETWEEN

ERNEST IKOLI *Petitioner.*

AND

ADELEKE ADEDOYIN *Respondent.*

In pursuance of Regulation 41, paragraph (2), of the Regulations made under the Nigeria (Legislative Council) Order in Council, 1922, and established by Proclamation dated the 1st June, 1923, I, FRANCIS HORACE BAKER, Acting Chief Justice of the Supreme Court of Nigeria, hereby CERTIFY THAT at the conclusion this day of the trial by me of the above-named election petition wherein the Petitioner Ernest Ikoli prayed that it might be determined that the Respondent Adeleke Adedoyin was not duly elected at an election of a member of the Legislative Council of Nigeria for the Municipal Area of Lagos holden on the 15th day of March, 1946, and that the said Petitioner was duly elected and ought to have been returned at the said election, I DETERMINED that the said Respondent was not duly elected and that the said Petitioner was duly elected and ORDERED that the said Respondent do no longer remain an elected member of the Legislative Council and that in his stead the said Petitioner be returned.

DATED at Lagos this 28th day of March, 1946.

FRANCIS H. BAKER,
Acting Chief Justice

QUESTIONS

NOTE.—Replies to Questions Nos. 10-11 by the Honourable the Member for the Ondo Division, No. 34 by the Honourable the Member for Calabar, Nos. 35, 39, 44, 48, 49 and 94 by the Honourable the Third Lagos Member (Dr I. Olorun-Nimbe), No. 116 by the Honourable the Member for the Rivers Division, No. 118 by the Honourable the Member for the Ibibio Division, No. 123 by the Honourable the Third Lagos Member (Dr I. Olorun-Nimbe) are not yet ready.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

119. Inviting Government's attention to Question 98 of the 16th March, 1945, to ask:—

(a) Is Government now convinced that "Human Leopards" abound in the Abak and Opobo Divisions?

(b) If so, have any investigations been made by the Police?

(c) Number of arrests of suspected persons?

(d) Number of people murdered, whether males or females and if females, were they prospective brides or divorced wives?

(e) Have any masks been discovered any where around the Government station at Abak?

(f) Will Government now take rigid measures to have these places thoroughly combed out by the Police and thereby relieve the anxiety of peaceful citizens residing in these areas.

(g) Would Government declare these areas under the Peace Preservation (Protectorate) Ordinance?

Answer—

The Hon. the Chief Secretary to the Government:

(a) It has come to light in recent months that a considerable number of murders have been committed in the Abak and Opobo Divisions by persons who endeavoured, successfully at first, to conceal their crimes by making them appear the work of wild animals.

(b) Yes, Sir.

(c) Ninety-one.

(d) 113 persons are known to have been murdered, of whom sixty-three were women. Of these two were prospective brides and eleven were divorced wives.

(e) Masks have been found in both the Abak and Opobo Divisions.

(f) Extensive investigations involving the use of a large force of Police are in hand as the figure under (c) above shows.

(g) This was done on the 6th of February.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

120. To ask the Honourable the Chief Secretary to the Government whether the Government will consider lifting the ban on the Watch Tower publications circulated in Nigeria by Jehovah's Witnesses since the ban has been lifted in Canada, Australia, Jamaica and South Africa.

Nigeria
Monday, 28th October, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Monday, the 28th of October, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable G. F. T. Colby.
- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Acting Financial Secretary,
The Honourable A. W. L. Savage.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Director of Education,
The Honourable R. A. McDavidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Comptroller of Customs and Excise,
The Honourable W. T. Martin.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompstone, C.M.G., M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Acting General Manager of the Railway,
The Honourable D. C. Woodward.
- The Director of Public Works,
The Honourable H. E. Waker, C.B.E.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, o
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The First Lagos Member,
The Honourable E. Ikoli.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, o.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division.
The Honourable Jesse Ogboru.
- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.
- The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.
- The Member for the Ijebu Division,
The Honourable T. A. Odutola.
- The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.
- The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, o.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable T. V. W. Finlay,
Commissioner of Police.
- The Honourable F. S. Collier,
Chief Conservator of Forests.

Honourable C. J. Pleass,
Acting Development Secretary.
Honourable C. W. Reece,
Acting Solicitor-General.
Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
The Resident, Niger Province,
The Honourable B. E. Sharwood-Smith, E.D.
The Resident, Bornu Province,
The Honourable C. R. Niver, M.C.
The Resident, Benin Province,
Captain the Honourable J. C. F. Pender, M.C.
The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.
The Honourable E. A. Carr,
Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 29th of March, 1946, having been printed and circulated to the Honourable Members were taken as read and confirmed.

OATHS

The Honourable G. F. T. Colby, Acting Chief Secretary to the Government; the Honourable A. R. Halgh, Acting Attorney-General; the Honourable A. W. L. Savage, Acting Financial Secretary; Dr the Honourable G. B. Walker, C.B.E., Director of Medical Services; the Honourable W. J. Martin, Comptroller of Customs and Excise; the Honourable R. J. Hook, Resident, Onitsha Province; the Honourable D. C. Woodward, Acting General Manager of the Railway; the Honourable J. D. Brown, Acting Director of Agriculture; the Honourable Akinpelu Obisesan, Member for the Oyo Division; the Honourable Jesse Ogboru, Member for the Warri Division; the Honourable E. A. Miller, Commissioner of Labour (Extraordinary Member); the Honourable N. S. Clouston, O.B.E., Commissioner of Lands and Director of Surveys (Extraordinary Member); the Honourable T. V. W. Finlay, Commissioner of Police (Extraordinary Member); the Honourable F. S. Collier, Chief Conservator of Forests (Extraordinary Member); the Honourable P. W. Adshead, Accountant-General (Extraordinary Member); the Honourable C. J. Pleass, Acting Development Secretary (Extraordinary Member); the Honourable C. W. Reece, Acting Solicitor-General (Extraordinary Member); the Honourable J. G. C. Allen, Acting Commissioner of the Colony (Extraordinary Member) took the Oath as Members of the Council.

PAPERS LAID

The Hon. the Acting Chief Secretary to the Govern

Your Excellency, I beg to lay on the table the following papers:—

- Sessional Paper No. 9 of 1946—Report on the Post Office Savings Bank for the year ended 31st March, 1945.
- Sessional Paper No. 10 of 1946—Annual Report on the Development Branch, Fisheries, for the year 1945.
- Sessional Paper No. 11 of 1946—Annual Report on the Prisons Department for the year 1944.
- Sessional Paper No. 12 of 1946—Annual Report on the Department of Chemistry for the year 1945.
- Sessional Paper No. 13 of 1946—Annual Report on the Agricultural Department for the year 1944.
- Sessional Paper No. 14 of 1946—Annual Report of the Public Works Department for the financial year 1944-45.
- Sessional Paper No. 15 of 1946—Annual Report on the Nigeria Police Force for the year 1945.
- Sessional Paper No. 17 of 1946—Annual Reports for the Northern, Western, Eastern Provinces and the Colony for the year 1945.
- Sessional Paper No. 18 of 1946—Annual Report on the Veterinary Department for the year 1944.
- Sessional Paper No. 19 of 1946—Annual Report on the Geological Survey Department for the year 1945.
- Sessional Paper No. 20 of 1946—Trade Report for the year 1945.
- Sessional Paper No. 21 of 1946—Annual Report on the Department of Labour and on the Resettlement of Ex-Servicemen for the year 1945.
- Sessional Paper No. 22 of 1946—Annual Report on the Medical Services for the year 1945.
- Sessional Paper No. 24 of 1946—Report of the Lagos Town Planning Commission with recommendations on the Planning and Development of Greater Lagos.
- Sessional Paper No. 26 of 1946—Report on the Land and Survey Department for the period 1st April, 1945 to 31st March, 1946.
- Annual Report by the Registrar of Companies for the year 1945.
- Report of the Standing Committee on Finance for the period March-September, 1946.
- Subsidiary Legislation made since the last meeting of the Council.
- Certificate of Urgency in respect of the following Bill:—
An Ordinance to enable a curfew to be imposed in the Abak and Opobo Divisions of the Calabar Province and to confer upon the Police special powers of search.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR

HONOURABLE GENTLEMEN,

I have no intention of detaining you to-day with a long Address, but there are two matters of great public interest to which I should like to direct your attention before the Council proceeds with the agenda for the present meeting. First of all as regards the new Constitution. The Royal Instructions, Letters Patent and Orders in Council necessary to bring it into effect have been published and will come into force on the 1st January, 1947. As Honourable Members doubtless realize, a good deal of preparatory work has to be done to adapt the financial and administrative procedure of Government to the requirements of the new Constitution. That work has been in hand for some time and is nearing conclusion. A point of direct relevance to the new constitutional arrangements is the relative contributions which each of the three Regions makes to the general revenues of Nigeria and the relationship which those relative contributions bear to the present scale of Government expenditure on regional services in each Region. The statistics necessary for a completely accurate computation are not available; in particular it is impossible to compute exactly what portion of revenue from import duties or from income tax on companies is derived from particular geographical areas. Nevertheless, by means of information which has been readily supplied by the principal firms, it has been possible to arrive at figures which for purely comparative and practical purposes may be regarded as reliable. Obviously it would have been satisfactory to find that there was at least a rough correspondence between what each Region contributes to the revenues of Nigeria and what it receives by way of Government expenditure on regional services, as such a position would be an excellent foundation on which to rest the new financial responsibilities which are to be entrusted to the Regions and their Councils. Perhaps, however, it would have been too much to expect such a position to arise without there having been any set policy during the last thirty years to achieve it. The result which has emerged may, however, occasion some surprise since it establishes that whereas the Northern Region may be held to contribute some 46 per cent to the revenues of Nigeria which are not to be declared regional, only 36 per cent or so of Government expenditure on regional purposes is for services in the Northern Region. The corresponding figures for the Western Region are 30 per cent revenue contribution and 26 per cent Government expenditure and for the Eastern Region 24 per cent revenue contribution and 38 per cent Government expenditure. It thus follows that the Eastern Region is at present receiving by way of Government expenditure on services of benefit to that Region far more than its proportionate

contribution to general revenue. Of course, the Northern Region has a much larger population than either of the other two Regions but that fact does not affect in any way the validity of the main conclusion that in the North Government expenditure is materially less than it ought to be, and in the East materially more than ought to be, on the basis of the relative contributions made to revenue. Clearly this is not a satisfactory position or one that could be allowed indefinitely to continue. An immediate rectification of the position is not possible for the obvious reason that the new constitutional arrangements could not be made an occasion for an immediate and drastic redistribution of Government expenditure. Nevertheless, rectification is necessary even though it may take some years to achieve it and that is a matter which will receive careful consideration in connection with the allocation of available revenues to the Regions for regional purposes. Meanwhile, I consider it proper that the Council should be aware of the significance and importance of the conclusion to which I have drawn attention. One of the main contributory causes is, of course, the high rates of direct taxation paid by the people of the Northern Region which materially exceed in their average incidence those in force in the Western and Eastern Regions. It would seem that whereas direct taxation in the North, including the share retained by the Native Administrations, works out at 3s 3d per head of the population the corresponding figures in the West are 2s 6d and in the East 1s 9d.

Next I should like to say a word concerning price control of consumer goods. In the first place it is well to recognize that while there has been a decrease in the quantity of imported goods since the war there has also been an appreciable increase in their landed cost, arising out of mounting manufacturing costs and increased freight charges. While Government has armed itself with special and comprehensive powers under the Defence Regulations to prescribe the selling prices of merchandise the fact remains that price control by legislative action under local conditions can only be made fully effective as far as the doors of the importing firms. The distributive trade of Nigeria being virtually in the hands of small, independent traders it depends on the extent of their co-operation with the authorities, coupled with the co-operation of the public, whether or not price control shall become a dead letter. The importing firms have been accused of raising the price of imported goods by confining sales of goods in short supply to a few favoured middlemen, who re-sell at fantastic profits, and also by the practice of conditional sales. I think few will be found to quarrel with the commercial morality of the firms in giving first choice of available supplies to their established customers. From that point onwards, however, no matter how stringent may be the legislation, the profit will be regulated by the laws of supply and demand. As regards conditional sales this Government's views are

widely known, namely, that it frowns on the practice, which it has made illegal in relation to price-controlled goods, but an extension of legal sanctions beyond their existing limit presents problems of extreme complexity and there is no easy solution. I would point out, however, that there can be no conditional sales without two parties to every transaction and a determined refusal on the part of prospective purchasers to indulge in the practice is the best method of bringing it to an end. Before leaving this difficult subject reference must be made to the other side of the picture. Conditional sales have their counterpart in conditional purchases. Certain prospective purchasers with substantial orders to place refuse their custom to firms who will not also sell to them consumer goods that are in short supply. Acquiescence in such demands entails the diversion of supplies of consumer goods to channels that do not ordinarily deal with them and serves to maintain a flow of goods to the black market, whereby the unscrupulous few gain financially at the expense of the general public. Importing firms have been asked, and are again asked, to discountenance both conditional sales and conditional purchases, but it is ultimately in the hands of the general body of consumers whether or not these practices are stamped out.

We live in a world that is slowly and painfully adjusting itself. The damage and dislocation of six years of war cannot be repaired in a month or a year. We are doing our best—most of us—with inadequate staff and insufficient materials. It is good to be impatient and impetuous, so long as sincerity and good-will inspire our own contributions to acceleration. The present Legislative Council has served its purpose and must make way in two months' time for the new Constitution. Whatever may be said of the imperfections of the new Constitution at least it represents a great advance towards self-government, and provision is made for an early review of its terms after a few years' trial, and who shall say that it is not wise to try the new machine in practice before improving on the model? I have yet to hear of any proposals for alteration which would have the slightest chance of universal approval at present, however desirable they may seem to certain sections and certain interests. It must be remembered that every successful constitution represents a balance of forces. The Ship of State has been re-modelled. I have no doubt that the future will see improvements in design and in motive power, just as ships that sail the sea are ever improving in design and in ability to meet the stresses and strains of inconstant weather conditions. It will be necessary to call one more meeting of this Council for December 9th in order to clear up certain business which is urgent and cannot be left for the new Council in March 1947. As I shall be absent in England on short leave during December I shall not then have an opportunity of bidding farewell to the present Council and accordingly I wish to do so now. I thank you, gentlemen, for the

sense of public service and responsibility with which you have discharged your task in this House. The official and unofficial sections of the Council have not always seen eye to eye, and there have been some differences of opinion which we have been unable to resolve by debate. But I think that, in this Chamber at least, it has been appreciated that differences of opinion can be honest and sincere on both sides and that we have all been working according to our lights for the good of Nigeria and its people. Perhaps I may express a hope that in the new Council the faces will not all be new and that some at least of those who have contributed to the dignity of this Council may return to help the new one with its unofficial majority in the responsible task which awaits it. The success of any political assembly depends so much on its respect for tradition and dignity, in simple words on its respect for itself. The President of this Council is and will be the interpreter of its corporate will and of its determination to preserve decorum in its debates and responsibility in its decisions. I thank you, gentlemen, for your services to the State and for the part you have taken in proving that an unofficial majority will be the first step towards an increasing measure of political self-determination.

QUESTIONS

NOTE.—Replies to Questions Nos. 48-49 and 123 by the Honourable the Third Lagos Member, Nos. 127 and 130-132 by the Honourable the Second Lagos Member, Nos. 135 and 148 by the Honourable the Member for the Colony Division, Nos. 150 and 151 by the Honourable the Member for the Rivers Division, Nos. 153 and 158 by the Honourable the Third Lagos Member, Nos. 163 and 164 by the Honourable the Member for Calabar, Nos. 168 and 172-175 by the Honourable the Third Lagos Member, Nos. 180, 183, 185, 187-189, 191 and 199-200 by the Honourable the Member for the Ibibio Division, No. 207 by the Honourable E. W. Cannell, Nos. 209 and 211-212 by the Honourable the Member for the Egba Division, Nos. 213 and 214 by the Honourable the Third Lagos Member, Nos. 215-218 and 220-224 by the Honourable the Member for Calabar, Nos. 226-229 and 231 by the Honourable the First Lagos Member, Nos. 234 and 238-239 by the Honourable the Third Lagos Member, Nos. 240-248 by the Honourable the Member for the Ijebu Division, Nos. 249-250 and 252-253 by the Honourable the First Lagos Member, Nos. 255-259 by the Honourable the Third Lagos Member and No. 260 by the Honourable the First Lagos Member are not yet ready.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.):

10. To ask His Honour the Chief Commissioner, Northern Provinces:—

How many persons in the Northern Provinces have been detained in Government or Native Authority gaols pending trial by the High Court Judge for periods of

- (a) Not exceeding two months
- (b) Exceeding two and not exceeding four months
- (c) Exceeding four and not exceeding six months
- (d) Exceeding six and not exceeding eight months

and why has this been necessary?

Answer—

His Honour the Chief Commissioner, Northern Provinces :

The following persons have been so detained during 1945 :—

- (a) 93.
- (b) 70.
- (c) 13.
- (d) 10.

These persons who were charged with offences of such a nature that bail could not be granted were detained until sessions of the Supreme or High Court or Magistrate's (Full Powers) Court were held at a suitable venue. Such sessions are arranged by the Judge or Magistrate concerned.

It should be noted that originally there were two Judges in the Kaduna Division but since September 1940 there has been only one owing to shortage of staff.

The Member for the Ondo Division (The Ven. & Hon. L. A. Lennon, M.B.E.) :

11. To ask His Honour the Chief Commissioner, Northern Provinces :—

- (a) Is it not the case that in almost every Province there is one or more Administrative Officer of long service and experience?
- (b) If so, why cannot special powers be granted for such officers to hear these cases?
- (c) If such a course is considered undesirable, then why cannot touring Magistrates most of whom possess legal qualifications be given such powers?

Answer—

His Honour the Chief Commissioner, Northern Provinces :

- (a) It is the case.
- (b) It is Government's policy that serious cases should be tried by experienced judges with legal qualifications.
- (c) The two touring Magistrates in the Northern Provinces already have their time fully occupied with the hearing of less serious cases. The question of increasing the number of Judges and Magistrates in the Northern Provinces is under consideration. At present, however, the total establishment of Judges in Nigeria is three short of its full number. Meanwhile visits to stations within the Kaduna Judicial Division are arranged as and when necessary. It is generally possible to arrange from time to time for the Judge at Onitsha to visit Kabba Province and the Judge at Enugu to visit Benue south of the river. These districts were last visited by Justice Rhodes in December 1945 before he assumed duty at Aba.

It should be noted that Kabba Province is part of the Benin Magisterial District and Ilorin Province is part of the Ibadan Magisterial District.

The Member for the Ondo Division (The Ven. & Hon. Archdeacon L. A. Lennon, M.B.E.):

12. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) How many persons have been detained in Government or Native Authority gaols in the Ondo Province owing to the absence of Magistrates with powers to hold a preliminary investigation during the past two years? Please state period of detention.

(b) Why, when an officer is posted to a Province, judicial powers cannot be conveyed to him by telegram instead of awaiting a notice in the Gazette?

Answer—

His Honour the Chief Commissioner, Western Provinces:

(a) The total number of persons detained while awaiting trial in prisons in the Ondo Province was 48. The periods for which they were detained were as follows:—

Between 1 and 7 days	— 7
“ 8 “ 14 “	— 3
“ 15 “ 30 “	— 12
“ 31 “ 60 “	— 13
“ 61 “ 90 “	— 9
“ 91 “ 120 “	— 3
More than 120 “	— 1

(b) It is not possible to notify the appointment of magistrates by telegram as a telegram is not *prima facie* evidence of appointment.

The Member for Calabar (The Rev. & Hon. O. Efiong, O.B.E.):

34. To ask the Honourable the Chief Secretary to the Government why some clerks in the Judicial Department have had their promotions to the 2nd class grade made retrospective to the date of their passing the Interpreters Examinations whereas others have not?

Answer—

The Hon. the Chief Secretary to the Government:

Prior to the merger of the cadre of Interpreters into the Clerical Staff, which occurred in November, 1938, some appointments as Unqualified Interpreters were made on the provisional scale of £36-6-66. Some of the men who were thus appointed had already passed the Interpreters Examination and but for the coming merger would have been appointed as qualified Interpreters. When the merger took place, qualified Interpreters were allowed to enter the establishment of 2nd Class Clerks while Unqualified Interpreters converted to the rank of 3rd Class Clerk. In 1943, as a result of the consideration of an individual case, it was realized that an injustice had been done to those Interpreters who had passed the Interpreters examination prior to the merger but who had been appointed, provisionally, on the scale of £36-6-66 as Unqualified Interpreters and converted as 3rd Class Clerks. It was therefore ruled that they should be appointed 2nd Class Clerks in retrospect from the dates on which they had passed the Interpreters

examination. Some of these persons were employed in the Judicial Department and benefitted from this ruling. Other members of that Department who had not passed the Interpreters examination until after the merger, were in no way affected by this ruling.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

35. To ask the Honourable the Chief Secretary to the Government:—

(a) The reason or reasons for the non-publication of the Report and voluminous Minutes of Evidence of the Commission on the Lagos Land Inquiry conducted in Lagos by Sir Mervyn Lawrence Tew, Kt., in February, March and April, 1939.

(b) How soon should the public expect to see both the Report and Minutes of Evidence released on account of its importance in regard to the interpretation of the Treaty of Cession of 1861 in relation to conditions of land tenure in Lagos and in the vicinity thereof with special reference to the precise rights and powers which passed to the Crown thereunder?

(c) When will the Honourable the Attorney-General submit to this Honourable House the several Bills recommended or suggested in connection with that Inquiry and especially with reference to the Epetedo lands?

(d) Whether Government will publish the full text of the Report of the Committees that were appointed by Sir Bernard Bourdillon to sit on the Report of Sir Mervyn Lawrence Tew?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The exigencies of the war and the pressure of more urgent business have hitherto prevented the publication of Sir Mervyn Tew's Report.

(b) It is hoped to publish the Report within the next few months.

(c) It is proposed, unless unforeseen difficulties arise, to introduce the Bills at the Meeting of Legislative Council to be held in March, 1947.

(d) Yes, Sir

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

39. To ask the Honourable the Financial Secretary:—

(a) What are the figures of Africans and Europeans in the Civil Service of Nigeria.

(b) What is the total cost to the revenue of Nigeria of the total number of Africans for twelve months?

(c) What is the total cost to the revenue of Nigeria of the total number of Europeans for twelve months? (including all allowances).

(d) How many West Indians there are in the Nigerian Civil Service?

Answer—

The Hon. the Chief Secretary to the Government :

I regret that it is not possible to give the Honourable Member the detailed information for which he asks since the records and accounts are not separated on a racial basis. Moreover, the position is constantly changing as it is the policy of Government to employ Africans whenever possible, and much has been achieved in this direction during recent years.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

44. To ask His Honour the Chief Commissioner, Western Provinces, whether the alteration of the Ife-Ilesha Boundary by pillars erected in the year 1927 by order of the Resident, Oyo Province (Captain W. A. Ross, C.M.G.) from Ayinrin River to Oke Ora as the Ife-Ilesha boundary against the protest of the people of Ilesha was carried out with the sanction of the Governor of Nigeria and at whose request?

Answer—

His Honour the Chief Commissioner, Western Provinces :

A survey of the Ife-Ilesha Boundary was sanctioned by Government in 1927 to demarcate for the first time the boundary approved in 1913 by His Excellency the late Lord Lugard. Subsequently the line demarcated by this survey was the subject of an agreement signed by the Oni of Ife, the Owa of Ilesha and the Council Chiefs of Ife and Ilesha. The date of this agreement was the 12th of August, 1932. Government is not aware that any alteration was then made in that section of the boundary which lies between the Ayinrin River and Oke Ora:

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

94. To ask His Honour the Chief Commissioner, Northern Provinces:—

(a) Whether it is correct that the twenty-five villages in the Oke Odde District in the Lafagi Division with a population numbering 31,175 collected in 1944-45 tax amounting to £3,837 13s 5d out of which sum the eleven Rulers, consisting of nine Obas, one Olu, and one Bale, were paid only seven pounds twelve shillings and two pence—the Head Chief forty-five shillings, four Chiefs each receiving 10s, 7s 6d, 6s 2d, 2s 5d respectively?

(b) To ask whether there is not the rule of the award of ten per cent of sums collected in the Northern Provinces?

Answer—

His Honour the Chief Commissioner, Northern Provinces :

(a) The amount of General Tax collected in Oke Odde District in 1944-45 was approximately as stated in the question. The twenty-five village heads of the District receive salaries totalling £215 17s per annum: in addition seven village ward-heads receive salaries totalling £38 7s per annum and two Fulani headmen receive salaries totalling £15 per annum; thus the total of Village and

Ward heads' salaries is £269 4s. Village scribes receive £69 10s per annum. The total remuneration of village heads and their assistants thus amounts to £338 14s per annum. The Emir of Lafiagi, who is the Head Chief of the area, receives a salary of £400 per annum: the post of District Head of Oke Odde District (at present vacant) carries an approved salary of £200 per annum: the present temporary holder receives £60 per annum.

(b) There is no such rule. In certain primitive communities where the rate of tax is very low village heads are paid a percentage of tax collected but generally in the Northern Provinces village heads are paid salaries at fixed rates.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari):

116. To ask the Honourable the General Manager, Nigerian Railway, when will sheds be provided for halts at Diobu, Mbokonta, etc., to save passengers who wait for trains there from the heat of the sun and drenching rain?

Answer—

The Hon. the General Manager of the Railway:

A shelter will be provided at Diobu during next financial year but the small number of passengers from Mbokonta, etc., does not at present justify the provision of a shelter there.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

118. To ask the Honourable the Chief Secretary to the Government:—

(a) How many Licensed Surveyors have resigned within the last five years?

(b) Have such resignations impaired the work of the Survey Department in any way? If so, what steps have Government taken to prevent further resignations, and what are the causes for the resignations?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Two.

(b) At a time when there is so much survey work to be done the resignation of surveyors is a loss to the Department. There are, however, hardly enough Licensed Surveyors in private practice to carry out all the work which correctly is the work of private practitioners, and Government sometimes has to supply Government Surveyors to do such work. The two who resigned are practising their profession and therefore it is doubtful if their resignations impaired the work of the Department.

I do not know of any steps which Government could take to prevent professional men resigning from the Government service to take up private practice in their profession.

The reasons given for the resignations were:—

- (1) "In the interests of my health."
- (2) "To plan my own living with particular regard to my health and my family."

The Second Lagos Member (The Hon. E. A. Akerele):

124. To ask His Honour the Chief Commissioner, Eastern Provinces:—

(a) Whether it is a fact that there are still Court Clerks in the Nnewi District of the Onitsha Province on daily rates of pay, ranging from £9 to £10 per annum.

(b) If so, what are the daily rates of wages; and what prospects await this class of workers in the Native Authority Service?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

- (a) No, Sir.
- (b) Does not arise.

The Second Lagos Member (The Hon. E. A. Akerele):

125. To ask His Honour the Chief Commissioner, Eastern Provinces:—

(a) Is it true that Native Administration employees of the Eastern Provinces are generally denied the payment to them of travelling allowances as are approved for employees in the Western Provinces?

(b) If the answer is in the affirmative, what arrangements are being made to bring these employees into line with their brother Native Administration Workers of the Western Provinces?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

- (a) The Honourable Member is referred to the answer to Question No. 18 given in the last session of this Council.
- (b) The matter is at present under examination.

The Second Lagos Member (The Hon. E. A. Akerele):

126. To ask His Honour the Chief Commissioner, Eastern Provinces:—

Is it true that the Native Administration Treasury of the Bende District which was, on re-organisation, split into smaller units is now being centralised at the request of the Village Councils into a Central Treasury and a Central Executive Council?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

No, Sir. A Divisional Council meets from time to time and acts in an Advisory capacity to the District Officer and the Native Authorities. No proposals for a single Treasury to serve the whole Division have been formulated.

The Second Lagos Member (The Hon. E. A. Akerele):

128. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether it is true that the Clerk in charge of the Ekpon Native Treasury, Native Court and the Clan Council cannot look up to or beyond a salary of £48 per annum on account of the poverty of the Treasury?

(b) What is the salary of the present Clerk in charge of this station, and according to the approved establishment on what scale of salary is he at present?

(c) For how long has he been in the service of the Native Administration?

Answer—

His Honour the Chief Commissioner, Western Provinces:

(a) As the revenue of the Ekpon Clan only amounts to some £250 a year a maximum salary higher than £48 per annum cannot be afforded, nor do the duties and responsibilities of the post justify higher remuneration.

(b) £30 a year on the scale £24-3-30; £36-3-48.

(c) From 1st June, 1938 to 10th January, 1939, as a Messenger and from 1st December, 1943, as a Clerk.

The Second Lagos Member (The Hon. E. A. Akerele):

129. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Whether it is a fact that Agbor District in the Benin Province has been divided into small units as the result of re-organisation following the Intelligence Report?

(b) If the answer is in the affirmative, into how many independent Native Authority Treasuries has the original Central Treasury been split?

Answer—

His Honour the Chief Commissioner, Western Provinces:

(a) No, Sir.

In the Agbor District there are eleven Clans who are independent Units both historically and geographically. Intelligence Reports drew attention to their independence, and the reorganisations which followed recognised it. Nine of the eleven clans, however, have recently agreed to unite as one Federal Native Authority.

(b) None. There is still one Central Treasury for the Agbor District. The proposal to federate will necessitate a change.

The Second Lagos Member (The Hon. E. A. Akerele):

133. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) What is the numerical strength of the clerical staff at present serving under the Ibadan and Egba Native Administrations?

(b) How many are graded—Chief Clerks (or "Superior scale"—Assistant Chief Clerks, 1st Grade Clerks, 2nd Grade Clerks, 3rd Grade Clerks, 4th Grade Clerks and 5th Grade Clerks

(c) What arrangements are being made to remove congestion in the lower grades of these Native Administrations as is the case in the Departments of the Central Government and the Nigerian Railway?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) Total Clerical Staff 226.

(b) Grade of Appointment.	Ibadan Native Administration.	Egba Native Administration.
Grade I	1	5
Grade II	10	11
Grade III	28	42
Grade IV	92	37
	131	95

(c) Generally speaking the same principles apply to Native Administration as to Government staff in respect of promotion, retirement, etc. There are approved establishments in each Administration which cannot be exceeded, and promotion from a lower to a higher grade is conditional on the existence of vacancies in the higher grade. The approved establishments of the Ibadan Native Administration is at present being reviewed with the object of increasing the number of higher grade posts if such a course is found to be desirable.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.) :

134. (a) To ask the Honourable the Director of Medical Services if the Hospital Mortuary "refrigerator" is available to all bereaved persons desirous of keeping the corpses of their deceased relations there until such time or day they are ready for funeral?

(b) Are any fees chargeable per day for each corpse?

(c) How many corpses of deceased persons who died in their houses, if any, were kept in the mortuary "refrigerator" in the last twenty-four months before the date of actual funeral?

Answer—

The Hon. the Director of Medical Services :

(a) No, Sir.

(b) No fee is chargeable.

(c) Six corpses of persons who died in their houses, other than those upon which a post-mortem examination was made, were so admitted during the past twenty-four months.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.) :

136. (a) To ask the Honourable the Chief Secretary to the Government why there is no Library or Archives where members of Legislative Council could go to study or examine past records of their predecessors for better and more reliable information in offering advices to Government during debates?

(b) Will Government consider the desirability of attaching one of the Council Hall under the new Constitution?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Copies of the Legislative Council Debates, Minutes of Proceedings, Sessional Papers and other papers are kept in the Secretariat Library which is open to Honourable Members who may wish to make use of it.

(b) The matter will be borne in mind when plans for a new Legislative Council Building are prepared.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

137. (a) To ask the Honourable the Director of Public Works if Government in taking over the construction of Lagos-Ikorodu road had the balance of money raised from the Public by the public spirited men who started the project handed over to it; if so, how much?

(b) Will Government inform the subscribing public how much work it found done before taking over, the probable estimate of money spent on it; how much it will cost Government to finish the road and when?

Answer—

The Hon. the Director of Public Works:

(a) No, Sir.

(b) When the Department of Public Works took over the construction of this road approximately 11½ miles of 50 feet wide rough clearing and 1,400 cubic yards of earth works had been completed, the estimated cost of which was £700. The total estimated cost of the road which is being met from Colonial Development and Welfare funds as a part of the road development scheme is £75,000. It is not possible at this stage to give a date by which the road will be completed.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

138. (a) To ask the Honourable the Chief Secretary to the Government if there are any *unqualified* Surveyors in Government or Native Administration Service in any part of Nigeria?

(b) How many are they, and under whose supervision do they prosecute their work?

(c) Are they officially recognised by Government; how many of them have qualified from that category and licensed to practise; and what is the ratio of their salaries to qualified Surveyors under Government?

Answer—

The Hon. the Chief Secretary to the Government:

(a) (i) The qualifications laid down for surveyors in the Survey Ordinance are applicable to surveyors who carry out surveys to

which that Ordinance applies. For such surveys all surveyors employed by Government and Native Administrations hold the qualifications required by the Survey Ordinance.

(ii) There are many other purposes for which surveying is required and undertaken such as for the design and laying out of roads, drains, irrigation works, railways, electric power schemes and other engineering works and the preparation of topographical maps. The carrying out of such survey work is not restricted to persons holding the qualifications laid down in the Survey Ordinance. Men who have received suitable training are employed on such work by Government Departments and Native Administrations. In some cases they are called surveyors in other cases engineers or technical assistants.

(b) The number of persons employed by Government and Native Administrations throughout Nigeria on the type of work described in (a) (ii) could not be ascertained without a great amount of work. Those so employed by Government work under the supervision of their departmental senior officers. The supervision of those employed by Native Administrations varies with the nature and importance of the work.

(c) Those employed by Government or Native Administrations on the type of work described in (a) (ii) are recognised by Government under such designations as "Engineers", "Technical Assistants", "Native Administration Surveyors", etc. To give the number of licensed surveyors who have attained the qualification of a surveyor's licence from such categories of Government or Native Administration officials would entail research into the antecedents of all Licensed Surveyors on the Register. That would take a great deal of time for which staff is not available. There is no fixed ratio of their salaries to the salaries of Government Surveyors. Those employed by Government are on salary scales applicable to their posts as engineers or technical assistants. Those employed by Native Administrations are on salary scales appropriate to their qualifications.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

139. Referring to Sessional Paper No. 12, 1946 page 8 paragraph 38 to ask the Honourable the Chief Secretary to the Government what action Government proposes to take if not already done to assure the community of Nigeria that no more *Inferior Whisky* is exported to them from abroad?

Answer—

The Hon. the Chief Secretary to the Government :

The three bottles of whisky referred to in the Sessional Paper were of standard brands. No further cases have been reported and there is no reason to suppose that inferior whisky is exported to Nigeria.

he Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

140. To ask the Honourable the Chief Secretary to the Government if it is a fact that on the death of a head chief or sub-chief his successor is not allowed to receive the same stipend and in many cases no salary is given?

Will Government explain the cause or causes for this disheartening measure to the people?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir. Provision for Chief's salaries is made by the native authorities concerned in their annual native treasury estimates and does not as a rule vary with successive holders of the various posts. The factors on which these salaries are based, however, such as the taxable capacity of the area and the responsibilities attached to the post, may vary so that it may become apparent that too great or too small a proportion of Native Treasury funds is paid to a Chief. In ordinary cases it is not usual for the existing holder to undergo a reduction of salary during his life-time, though he may be granted an increase. On the appointment of new holders of posts, salaries are reviewed and confirmed or revised according to the circumstances in existence at the time.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

141. (a) To ask the Honourable the Chief Secretary to the Government if it is true that at Port Harcourt certain men charged with murder were kept in custody for about a year from 16th June, 1945 and that in course of such detention one of the men died in prison.

(b) If true, what reason or reasons has the Attorney-General to offer to justify the suspense and agony of mind into which the men were put?

(c) When and how was their case disposed of?

Answer—

The Hon. the Chief Secretary to the Government :

(a) No, Sir.

(b) and (c) Do not arise.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

142. (a) To ask the Honourable the Chief Secretary to the Government if a Geologist and water Engineer are now stationed at Nsukka for the purpose of digging wells?

(b) Is this part of the Development Scheme?

(c) At such a high elevation of hills will it not be a saving of public funds to instal pipe borne water as the one at Enugu?

Answer—

The Hon. the Chief Secretary to the Government :

(a) No, Sir. An Inspector of Works is at present posted to Nsukka to supervise the construction of water collecting tanks.

(b) Yes, Sir.

(c) No, Sir. Investigations have shown that there is no surface water available for a pipe borne supply and it has therefore been decided to drill for water when plant becomes available.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

143. (a) Inviting attention to *Nigeria Review* No. 206 Volume 5 page 2 to ask the Honourable the Chief Secretary to the Government whether the information contained therein that the Obi of Agbor was appointed permanent Native Authority and President of the Native Appellate Court is an official announcement?

(b) What was the source of the Editor's information?

(c) Will Government undertake to correct the announcement which has caused the Obi much inconvenience and disgrace among his people through the denial given to it by the District Officer in the area?

(d) Will Government give an undertaking that unfounded news will no longer be published in a valuable paper that the public regard as quasi-official?

Answer—

The Hon. the Chief Secretary to the Government :

(a) No, Sir.

(b) The information was received from a private correspondent.

(c) A correction has already been published in *Nigeria Review* Vol. 5 No. 212 published on the 31st of August, 1945.

(d) Steps have been taken to ensure in future, that news items relating to official matters are checked and confirmed before publication.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

144. To ask the Honourable the Director of Education:—

(a) How many Government Schools are there in Nigeria?

(b) How many belong to Native Administrations?

(c) In view of the well known fact that present day educated generation are developing illblood and sentiments of disrespect and disregard towards British Government, Persons in authority, their parents and elderly people; will Government not now include Religious and Moral Instruction in its Educational Code and thus save Nigeria from being imperceptibly transformed to a Colony of Fascism and Nazism?

Answer—

The Hon. the Director of Education :

(a) and (b) 5 Secondary and 32 primary schools are conducted by Government and 478 primary schools, including 12 "middle" schools, by Native Authorities.

(c) The Honourable Member's attention is invited to Regulations Nos. 42-43 of the Education (Colony and Southern Provinces) Regulations (No. 6 of 1931) in which provision is made for religious

instruction. Government is aware that a very small minority of the population is animated by the sentiments which the Honourable Member deplures and that the teaching profession includes a number who share these views. It is considered that the remedy for this state of affairs can hardly be in an increased emphasis on religious instruction for the efficacy of this must depend in the last resort on the character and conduct of those who give it.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

145. To ask the Honourable the Director of Medical Services:—

(a) How many Hospitals are there in Nigeria?

(b) In how many are in-patients supplied with meals?

(c) Is the taking of meals to patients in Hospital by their people at all hours of day or night not interfering with the discipline of Hospitals and serving as a setback to attendance and medical treatment given by Doctors and Nurses?

(d) Will Government give an undertaking to expend public funds to feed in-patients in all its Hospitals throughout Nigeria as at Lagos?

Answer—

The Hon. the Director of Medical Services:

(a) 114, of which 75 are Government Hospitals;

(b) Arrangements exist at all Government Hospitals for supply of food by the Hospital Authorities to in-patients who desire it. There are 64 Government Hospitals at which all patients are supplied with food—namely, 9 General Hospitals, 52 Infectious Diseases Hospitals and 3 Mental Hospitals;

(c) Yes, Sir: the arrangements are not entirely satisfactory but they are designed to meet the wishes of the patients;

(d) Public funds are at present available for the feeding of in-patients in all Government Hospitals.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

146. To ask the Honourable the Chief Secretary to the Government:—

(a) How many female prisoners are nursing babies while serving their terms of punishment throughout Nigeria?

(b) Will Government consider establishing Creches for such children and save them from prison life during the days of their innocency?

Answer—

The Hon. the Chief Secretary to the Government:

(a) 50.

(b) No, Sir. Only children at the breast and less than eighteen months old in the case of Government Prisons and less than two years old in the case of Native Authority Prisons are admitted to the prisons with their mothers. Children of eighteen months and over whose mothers are incarcerated in Government Prisons are, if

no other arrangement is possible, mandated to an institution under the provisions of the Children and Young Persons Ordinance No. 41 of 1945 or the Native Children (Custody and Reformation) Ordinance.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

147. To ask the Honourable the Chief Secretary to the Government:—

(a) If there is any organised Board appointed by Government to design, discuss and approve Uniforms for all departments where they are used?

(b) Will Government, in view of public indignation caused by sleeveless uniforms introduced in the Customs Department give an undertaking that in future a Standing Board for approval of Uniforms will be appointed to advise on the propriety of Uniforms to be introduced to Government Offices?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir.

(b) No, Sir, but the suggestion will receive consideration.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

149. To ask the Honourable the Chief Secretary to the Government if in connexion with the Development of the Country it is contemplated to bridge Ose river to shorten the road to Ishan or Kukuruku from either Oka or Ifon towns and thus save travellers from taking circuitous journey for many miles instead of only twelve miles across?

Answer—

The Hon. the Director of Public Works:

Yes, Sir.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari):

152. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether he is aware of the claim for refund of rents and all mesne profits collected by the Government of Nigeria or their agents for and in respect of the European firms' establishment at Imo River land?

(b) If yes, have the rents been refunded?

(c) If no, why?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) Yes, Sir.

(b) No, Sir.

(c) Because from the terms of the deed of grant the grantors or their successors in title were not entitled to recovery of any rents accruing from the land or any part of the land covered by that deed.

It may be explained for the Honourable Member's information that by a deed of grant dated the 1st day of December, 1915, the then Chiefs of the Aba Division granted to Government certain lands for the purpose of the construction of the Nigerian Eastern Railway and for purposes connected therewith, for the establishment of traders sites and for all or any other purposes for which the Government might think fit to use the said lands.

By a Memorandum of Agreement dated the 21st of March, 1944, between His Excellency the Governor and Amadi and others for and on behalf of themselves and the people of Uzoaka village of the Aba Division portions of the grant not required by the Governor for the purposes for which they were demised were excluded from the rest of the lands demised. In October 1944, Amadi, one of the signatories to the Memorandum of Agreement, claimed a refund of rents received by Government from European firms before the execution of this Memorandum of Agreement, in respect of plots within the area which had been excluded by the Memorandum of Agreement from the original grant. The claim was not entertained for the reason given above.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

154. To ask the Honourable the Chief Secretary to the Government:—

(a) If the congestions noticeable and experienced in Agege, Ibadan and Opobo Post Offices are known to the Postmaster-General?

(b) Will he consider the suggestions of

- (1) Another Post Office or several Agencies for Ibadan a city reputed to be the largest in Africa.
- (2) Relieving the daily strain being suffered by present clerks or public attendants in Agege and Opobo Post Offices by additional staff?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) (1) Ibadan: a new Branch office has been constructed at Mapo Hill and will be opened probably at the end of November this year when essential equipment is expected to be available.

(2) Agege: congestion is only experienced for a period of two hours, thrice weekly on the mornings of arrival of the Down Limited Western Train when considerable cash payments are made at the office. The general turnover does not justify additional staff at present.

Opobo: business is increasing at the office and consideration will be given to the posting of additional staff as early as possible.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

155. To ask the Honourable the Director of Medical Services:—

- (a) How many Mission Hospitals are there in Nigeria?
 (b) How many are recognised by Government by award of Grants-in-aid annually?
 (c) Inviting particular attention to C.M.S. Hospital, Iyienu, Onitsha and Oji River Leper Settlement, to ask if Government will institute Training Centres in them for Africans to qualify for future service in any part of Nigeria?

Answer—

The Hon. the Director of Medical Services :

- (a) Thirty-nine, including Leper Settlement Hospitals.
 (b) None.
 (c) Iyi Enu Hospital is already an approved centre for the training of Nurses and Grade I Midwives who are qualified to work in any part of Nigeria; these facilities are provided by the Church Missionary Society and it is not considered that the provision by Government of further facilities at Iyi-Enu is necessary.

Oji River Leper Settlement, which is now under the control of Government, is available for training Africans destined for Leprosy work elsewhere in Nigeria as and when the need arises.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

156. To ask the Honourable the Chief Secretary to the Government:—

- (a) How many culprits had been condemned to death and hanged for murder as members of the Leopard Societies since last January. Were there any women among them?
 (b) Is Government going to stabilise the Police Posts in the area or are they there as temporary check?
 (c) How far have the measures already taken to combat the detestable enormities been effective?
 (d) Will Government welcome the suggestion of organising a board to advise, after searching enquiry, as to effective measures to deal with these crimes?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Persons sentenced to death	23
Persons sentenced to imprisonment during His Majesty's Pleasure, because they were under the age of sixteen	2
Persons executed	16
Persons awaiting execution, their appeals having been refused	7
There were no women among them	

(b) Yes. Two permanent Police Stations are being established in the affected area.

(c) 137 cases of murder, which are believed to have been perpetrated by the Leopard Society, have been investigated by the Police. In addition to the figures given in (a) above, 58 persons are now awaiting trial for murder, 15 persons are awaiting Preliminary Investigations into the charges of murder preferred against them and 11 persons are at present detained by the Police pending enquiries.

There has been a marked decrease in the number of murders committed since the intensification of Police activities in the area in July last, and in the Abak Division, in which many murders had been committed, no case has been reported since August last.

(d) No, Sir. More stringent and effective measures are now under consideration.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

157. To ask the Honourable the Chief Secretary to the Government:—

(a) The estimated and actual cost of building Bauchi Post Office?

(b) How much did it cost per cubic foot?

Answer—

The Hon. the Director of Public Works :

(a) The estimated cost of the Post Office at Bauchi was £850. The accounts have not yet been closed so that the actual cost is not yet known.

(b) The actual cost per cubic feet is not known but it is probable that it will be about 9d.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

159. To ask the Honourable the General Manager of the Railway:—

What steps if any are being taken to accommodate Railway Officials in more spacious, sanitary and modern buildings at Enugu?

Answer—

The Hon. the General Manager of the Railway :

A scheme to provide such buildings is now under examination.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.) :

160. To ask the Honourable the Chief Secretary to the Government when will Government be gracious enough to constitute Calabar a Planning Area with its own Planning Authority?

Answer—

The Hon. the Chief Secretary to the Government :

The Town Planning Officer's recommendations for Calabar are now being examined by the appropriate local authorities and Government will be prepared to give sympathetic consideration to any proposals which may be submitted in accordance with the provisions of the Nigeria Town and Country Planning Ordinance for the constitution of a Planning Authority

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

161. To ask the Honourable the Director of Marine when will a power or steam pontoon be placed on the Qua river to substitute the present leaking and dangerous pontoon?

Answer—

The Hon. the Director of Public Works:

It is not proposed to provide a power propelled ferry for the Qua River crossing until the volume of traffic increases to the extent that the cost is justified.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

162. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether the scheme of land settlement on the Calabar-Mamfe Road is only designed to accommodate other tribes than the Effks, Quas and Efuts however Calabar may be congested owing to its position as a cosmopolitan port with influx of people from far and near?

(b) If the reply is yes, why?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

165. Will the Honourable the Chief Secretary to the Government consider the wisdom of advising the Government to allow elected Legislative Council members who are members of Native Authorities to participate in the operation and activities of the Divisional Councils, Provincial Councils Houses of Assembly whether or not they are selected so that with their experience the business of these Councils might be helped especially at this stage of the political development of the country?

Answer—

The Hon. the Chief Secretary to the Government:

The Constitutional Instruments provide that the Unofficial Members of the Eastern House of Assembly shall consist of Provincial Members and members appointed by the Governor. Unless an Elected Member of Legislative Council comes within one of these categories he cannot participate in the proceedings of the Eastern House of Assembly.

Similarly the Divisional and Provincial Meetings consist of members of the Native Authorities selected by them to represent the Native Authorities at these Meetings. It would be improper for an Elected Member of Legislative Council to attend such meetings unless he had been selected by a Native Authority of which he was a member to represent it.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

166. To ask the Honourable the Chief Secretary to the Government:—

Will the Government be graciously pleased to accord Legislative Council members that most necessary privilege of franking telegrams and letters for obvious reasons to heads of Government departments as well as members of their own constituencies only strictly on matters touching their activities in their capacity as Legislative Council members?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir. It is not considered that any extension of the existing privilege of franking telegrams and letters accorded to Honourable Members is warranted.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

167. To ask the Honourable the Chief Secretary to the Government:—

Whether Government will not lay on the Table of this Honourable House the original document of Reuter's refutation of an alleged incorrect publication of News in the Zik Group of Papers purported to have emanated from Reuter which necessitated Government's refusal to grant a renewal of Licence B to the said Group of papers up till now?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

169. To ask the Honourable the Chief Secretary to the Government:—

(i) How many acres of land is covered by the Golf Course at Ikoji?

(ii) In what essential details does the Plan now being exhibited for Public information differ from His Excellency Sir Gilbert Carter's "Arterial Airways" of 1894-98 and that of Lord Lugard of 1913? Why were they not executed?

Answer—

The Hon. the Chief Secretary to the Government :

(i) Approximately 190 acres of which approximately 157.5 acres lie within the Building Free Zone of the Government Residential Area.

(ii) The plans or documents to which the Honourable Member refers are not known to the Government.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

170. To ask the Honourable the Director of Public Works:—

(i) How many Africans are engaged as Technical Instructors in the Public Works Department Technical Schools (Lagos and Kaduna) and how are the selections made to fill such posts?

- (ii) Do these officers hold substantive or acting appointments?
- (iii) What are their respective salaries, and what is the minimum salary attached to the post of Technical Instructor (African Holder) in the classified Staff List?
- (iv) Are these officers paid acting (or any other) allowances? If not, how are they compensated for their especial ability to hold such posts, and how are they encouraged to become more efficiently efficient?
- (v) Is it true that some if not many of these people are resigning or have resigned after unsuccessful petitions to the Honourable the Director of Public Works?

Answer—

The Hon. the Director of Public Works :

- (i) Lagos School—4.
Kaduna School—2.

These Instructors, who retain the titles of their respective substantive Grades in the Technical Staff, are selected from among serving African Engineers and Engineering Assistants who have had good records in their school courses and have shown ability to impart their knowledge to others.

- (ii) They hold their substantive appointments as stated above.
- (iii) The salaries of the present Instructors are as follows:—

	£
Engineer, Grade II	255
Engineering Assistant, Grade I	170
Engineering Assistant, Grade II	96
Engineering Assistant, Grade II	88
<i>Kaduna School</i>	
Engineering Assistant, Grade I	150
Engineering Assistant, Grade II	96

There is no post of Technical Instructor in the Classified Staff List.

- (iv) No allowances are paid to these officers in respect of their duties as Instructors. No compensation is regarded as necessary since their duties do not involve greater responsibilities than the normal duties of their substantive grades.
- (v) No, Sir. One such officer has resigned his substantive appointment in order to proceed to the United Kingdom.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

171. To ask the Honourable the Director of Public Works:—

In view of the excellent performances of Engineering Assistants of the Public Works Department in the country's war and peacetime construction and maintenance of public buildings, roads, bridges, aerodromes, water and electricity schemes and the various mechanical undertakings, will the Honourable the Director of Public Works not consider the desirability of sending deserving ones to Europe on Government Scholarships in order to serve as Development Officers on their return?

Answer—

The Hon. the Director of Public Works :

Scholarships have already been awarded to one African Engineer and one Engineering Assistant to take degree courses in Engineering in the United Kingdom. Recommended candidates in these grades will continue to be considered with others for scholarship awards within the financial provision available. The question of the posts to which those awarded scholarships should be offered appointment cannot be decided in advance of the completion of their respective courses of study.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

176. To ask the Honourable the Director of Public Works :—

How soon will Government provide a first class motorable road to Maiduguri from Jos through Potiskum?

Answer—

The Hon. the Chief Secretary to the Government :

The general policy of the Government is to improve roads as the volume of traffic increases and the expense is justified. Traffic on the Jos-Maiduguri Road is very light at present, the average on any section being less than 50 vehicles a day and on most sections well below this figure. Provision has been made in the Road Development Scheme of the Ten-Year Plan of Development and Welfare for improvements valued at £80,000 in all to be effected on this road during the course of the next ten years, of which work to the value of £6,000 will be done this year.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

177. To ask the Honourable the Director of Medical Services :—

(i) Whether he is aware that his dispenser at Ogoja who is accommodated in semi-detached hut, has succeeded within his tour in that Province in killing not less than 19 snakes and numberless scorpions in the so-called Dispenser's Quarters at Ogoja?

(ii) What steps if any does the Honourable the Director of Medical Services intend to take to ameliorate the pathetic experience of these loyal and obedient Servants of His Majesty the King-Emperor in the various parts of the country?

Answer—

The Hon. the Director of Medical Services :

(i) It is understood that since the beginning of 1945 the Dispenser at Ogoja has killed ten snakes in his compound and a larger number of scorpions within his premises.

(ii) This experience is not exceptional in an area where such reptiles abound and no complaint by the Dispenser has been made. Bush clearance around residential quarters will be continued and, if need be, extended wherever necessary.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

178. To ask the Honourable the Director of Agriculture :—

(i) Why has the Department not done anything worthwhile with the vast expanse of arable land in Bornu Province—land which I am reliably informed is eminently suitable for the cultivation of wheat and other cereals?

(ii) And why has the Department not introduced a system of irrigation in that part of the country for the benefit of farmers?

Answer—

The Hon. the Director of Agriculture :

(i) Because it is not the function of the Agricultural Department to bring land under cultivation. The Agricultural Department has and has for some time been demonstrating to the rural population of the Bornu Province improved methods of cultivation and is establishing near Maiduguri a new experimental farm for the investigation of local farming problems. It is not the intention of Government to extinguish individual rights over land in order that improved methods of agriculture may there be exploited under the direct control of Government: it is rather the intention that the local population shall be induced themselves to practice such methods with the assistance of Government in agricultural research and demonstration and by the provision of additional water supplies.

(ii) Because the density of population does not justify the introduction of such a system. A perennial water supply is a prerequisite of any system of irrigation. Government is now actively engaged in increasing the available supplies of water in the Bornu Province, but is hampered in its efforts by the universal shortage of technical staff and equipment. The province is one of the areas which the Irrigation Engineer, when appointed, will be asked to investigate.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

179. To ask the Honourable the Director of Medical Services:—

Why is it that Ilorin Station has been exclusively reserved for European Medical Officers?

Answer—

The Hon. the Director of Medical Services :

There has been and is no medical station in Nigeria exclusively reserved for European Medical Officers.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

181. To ask the Honourable the Chief Secretary to the Government:—

Will the Nigerian Government recommend to the Colonial Office to send a committee of Experts to Nigeria, as soon as possible, to make recommendations for the improvement of the present unsatisfactory Telephone, Telegraph and Postal Services?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir. It is not considered that any useful purpose would be served by the appointment of a Committee of experts from the United Kingdom to inquire into the working of the Post Office. Present difficulties are almost entirely due to shortage of technical staff and it is hoped that the position will improve as additional staff and equipment become available.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

182. To ask the Honourable the Director of Education :—

Whether Local Education Committees which are said to have been doing good work in the Western Provinces have been set up in the Eastern Provinces and if so, with what results?

Answer—

The Hon. the Director of Education :

Yes, Sir. The results up to the present include the establishment of a local authority School at Aba. A similar school is to be opened at Port Harcourt at an early date. Financial control of these schools is exercised by local Committees who also scrutinize applications to establish new schools. Other Committees have advised on mass education and on school meals. Conditions in the Eastern Provinces do not permit of expansion as rapid as that which has taken place in the Western Provinces. The whole question is receiving attention and it is expected that further Committees will be set up in the near future.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

184. Arising out of the answers to Question 45 of 10th December, 1945 :—

(a) Will the Honourable the Director of Education state definitely whether the Superannuation Scheme for Non-Government certificated Teachers is in operation now, and whether such Superannuation or Pension Scheme includes the gratuity of One Year's salary allowed Civil servants on their retirement.

(b) Will the rules and regulations of the scheme be published and put into full operation?

Answer—

The Hon. the Director of Education :

(a) and (b). The Honourable Member's attention is invited to Public Notice No. 15 of 1946 which was published in the Supplement to the Nigeria Gazette No. 7 of the 24th of January, 1946. Rules necessary to govern the administration of the Scheme are now being formulated and when completed they will be published. As regards the latter part of Question (a) the answer is in the negative.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

186. To ask the Honourable the Director of Education :—

Has any detailed programme been mapped out in connexion with the spread of Mass education throughout the Eastern Provinces of Nigeria?

Answer—

The Hon. the Chief Secretary to the Government :

Yes, Sir. A ten-year plan to give effect to the principal recommendations of Colonial 186 has been prepared by the Department and is now under consideration by Government. The plan is

designed to cover the Territory as a whole and not merely the Eastern Provinces. Emphasis is laid on adult education and, in particular, on the education of those who have had no primary schooling or whose schooling has been of a rudimentary nature.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

190. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether it is a fact that Spanish nationals have been permitted to establish in Calabar for the purpose of operating a labour-recruiting agency for the benefit of the plantations of the Spanish Territories of the Gulf of Guinea? And if so,

(b) Whether any opportunity was given, by advertisement or otherwise, to British subjects or protected persons to take up the agency considering that there is general resentment against the practice of foreign nationals recruiting labour from a British territory?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

(a) No, Sir. The Agency has been operated up to October 15th, by the firm of Messrs John Holt and Company (Liverpool) Limited. With effect from October 15th it is being operated by a British subject.

(b) Does not arise.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

192. To ask the Honourable the Director of Education:—

How soon will the Government encourage or arrange with the Mission Teachers' Training Colleges to admit for Higher Elementary Certificates only students who have passed Class VI Middle examination for a shorter course of two years with intensive study in Schol method, School organisation, and practical teaching in order to improve generally the attainments of teachers in Primary Schools and post primary Schools?

Answer—

The Hon. the Chief Secretary to the Government:

Government desires that all certificated primary school teachers should have a full secondary education followed by two years professional training. Local standards of education vary so greatly throughout the Territory that it will be impossible to achieve this desideratum for many years.

For the present no more than a primary standard of education can be insisted on in candidates for training though youths with a full secondary education are being encouraged to enter the Teachers Training Centres. Where the latter are available the period and content of training is that suggested in the Honourable Member's question.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

193. *Apropos* of the reply of the Honourable the Director of Medical Services to Question 65 of 10th December, 1945, to ask:—

(a) What is meant by "when they ask for and receive Special maintenance"?

(b) Whether such expression means merely admission in what is generally known as ' Clerks ' Wards in hospitals which admission entitles a patient to the ordinary comforts of a hospital ward in food and nursing attendance?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Special maintenance refers to special diet.

(b) No, Sir.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

194. To ask the Honourable the Chief Secretary to the Government:—

Whether in view of the dissatisfaction in the general tone of the Press in this country, Government will not receive apprentices or Sub-Editor posts in the Government Press and award at least three Scholarships annually for would-be editors to learn the principles and traditions of journalism in London, if the Newspapers of this country are to be what Government desires them to be?

Answer—

The Hon. the Chief Secretary to the Government :

Government will examine the possibility of training journalists locally with a view to awarding scholarships to promising candidates.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

195. To ask the Honourable the Chief Secretary to the Government:—

(a) The reasons for the ' hold up ' of the projected Radio Reffusion Service for Calabar.

(b) How soon may prospective consumers expect to enjoy this long-felt amenity?

Answer—

The Hon. the Chief Secretary to the Government :

(a) The reasons are a delay in delivery of stores and a shortage of staff.

(b) It cannot at present be stated when it will be possible to resume this work but it will be done as soon as is possible.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

196. To ask the Honourable the Chief Secretary to the Government:—

(a) Will Government state whether any preparation has been made for a Town Planning Scheme for Calabar?

(b) If so, when will the plan be ready?

(c) When will the Plan be put in operation?

Answer—

The Hon. the Chief Secretary to the Government :

The Honourable Member is referred to the answer to Question No. 160.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer)

197. To ask:—

(a) Will the Honourable the Director of Public Works now make a definite statement to this house as to when the Oron Pontoon will be ready as this job has been hanging fire for a considerable time despite several promises having been made to the Commercial Member for Calabar, the Members for Calabar and the Ibibio Division?

(b) If the delay is due to shortage of staff, is it not advisable that the job be handed over to the Marine Department or given out on contract?

Answer—

The Hon. the Director of Public Works :

(a) The work has been delayed owing to the acute shortage of suitable heavy Pile Driving Plant. This plant has now arrived from the United Kingdom and will be despatched to Calabar by the first available transport. The work should be completed within three months of the arrival of the equipment on the site.

(b) Does not arise.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer)

198. To ask the Honourable the Chief Secretary to the Government:—

(a) For the number of disabled soldiers from the Eastern Provinces?

(b) Whether it is the intention of Government to set up a Re-habilitation Centre somewhere in the East on similar lines as that of Lagos?

(c) If so, has Government already selected a site and where?

(d) When will the Centre be ready?

Answer—

The Hon. the Chief Secretary to the Government :

(a) 1,759. Of these the pensions of 1,622 are subject to review and 137 are permanent.

(b) No, Sir. The rehabilitation centre at Lagos serves the whole of Nigeria.

(c) and (d) Do not arise.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

201. To ask the Honourable the Chief Secretary to the Government:—

(a) Is it a fact that the Atimbo Ferry on the Calabar-Mamfe Road is in a most unsafe and dangerous condition at the moment?

(b) If so, how old is this Ferry?

(c) Have there been any casualties on this ferry?

(d) When last was this ferry inspected by the Marine Department?

(e) Will the Director of Marine be asked to build a more reliable ferry as the one proposed for the Cross River in the Development programme?

Answer—

The Hon. the Chief Secretary to the Government :

- (a) No, Sir.
- (b) 17 years old.
- (c) There are no casualties on record.
- (d) No inspections of this ferry are carried out by the Marine Department. The ferry is maintained and operated by the Public Works Department.
- (e) The Honourable Member is referred to the reply to Question 61.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

202. To ask the Honourable the Chief Secretary to the Government:—

Whether the Marine Department Workshops in Calabar cannot be enlarged on modern lines as that at Apapa so as to be able to cope with most of the boat building and repairing programme of the Eastern Provinces?

Answer—

The Hon. the Chief Secretary to the Government :

The Marine Department Workshops at Calabar cannot be enlarged as space is not available at present. The lay out of the floor area in the existing Workshop building is being replanned to cope with the increasing boat building and repairing programme in Calabar Dockyard and the replanning will bring into use again a large section of the building which it has not been necessary to use for some years.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

203. To ask the Honourable the Chief Secretary to the Government:—

- (a) Since 1929, how many Standard Clerical African Staff have been advanced to superior appointments?
- (b) How many Standard Technical African Staff have been similarly advanced?
- (c) Is it a fact that the reason for most of the recent resignations and invalidations by the latter class are due to dissatisfaction among these men who feel they have no prospects in the service?
- (d) Would Government consider giving as many scholarships for further training abroad to these lads so as to get them better qualified for advancement in the service?

Answer—

The Hon. the Chief Secretary to the Government :

- (a) 38.
- (b) 43.
- (c) No, Sir.
- (d) Yes, Sir.

The Hon. E. W. Cannell :

204. To ask the Honourable the Chief Secretary to the Government:—

(a) What steps are at present being taken by the Public Relation Officer to protect the public against the frequent false statements which are published in the less reputable organs of the local Press?

(b) Is Government satisfied that the present measures are effective and, if not, what further action is proposed?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Whenever possible, false reports are corrected by Press releases sent to all papers, and by means of the Radio Distribution Service. The medium of the *Nigeria Review* is used in certain cases. In order to reach the public in the Provinces it is necessary to leave the correction of false reports in the hands of the local Administrative Officers who are, when necessary, given the relevant information on which to base their corrections.

(b) Government is not satisfied that any steps that it could take would correct all the false reports that are published in all the less reputable organs of the local press, but every effort is made to put the true facts before the public.

The Hon. E. W. Cannell :

205. To ask the Honourable the Chief Secretary to the Government:—

Whether Government will introduce legislation to control and limit public appeals for subscriptions for charitable and other purposes with a view to ensuring that the sums thus collected reach the persons or institutions for whose benefit the appeals are alleged to be devised?

Answer—

The Hon. the Chief Secretary to the Government :

The introduction of such legislation is at present receiving consideration and it is hoped to place the necessary bill before the Council at an early date.

The Hon. E. W. Cannell :

206. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether Government is aware of the existence of a body self-styled the "NCNC" (National Council of Nigeria and the Cameroons) and whether the Press reports of the statements attributed to the representatives of this body have been noted?

(b) If so, are the activities of this body of sufficient interest to warrant the expenditure of a small sum in publishing a statement which will make it clear to the public that the "NCNC" is an unimportant political body which does not represent National interests or National opinion?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) The attention of the Honourable Member is invited to a speech made by His Excellency the Governor at Onitsha on the 3rd of October which was reproduced verbatim in a special edition of the *Nigeria Review* dated the 16th of October, 1946.

The Hon. E. W. Cannell :

208. To ask the Honourable the Financial Secretary :—

(a) Whether he is aware of the scheme known as “ Esusu contribution (1947) ” which was advertised in the *Nigerian Daily Times* of 4th October, 1946?

(b) Whether the Promoters of this scheme are registered Money-lenders under the Moneylenders Ordinance No. 45 of 1938?

(c) Whether such schemes are or will be subject to any control by Government?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) No. The promoters of such schemes are not moneylenders within the meaning of the Ordinance.

(c) If such a scheme were proved to be fraudulent, the promoters would be amenable to the criminal law. Government has under consideration the imposition of measures for the control of appeals for subscriptions and contributions from the public and of the utilization of funds so raised.

The Member for the Egba Division (The Rev. and Honourable Canon S. A. Delumo) :

210. To ask the Honourable the Chief Secretary to the Government :—

Whether Government will consider the desirability of establishing secondary industries and works department in big towns like Abeokuta in order to relieve unemployment and to check the influx of unemployed persons from the Protectorate into Lagos in search of employment?

Answer—

The Hon. the Chief Secretary to the Government :

It is not the intention of Government to establish state-operated secondary industries; on the other hand, Government wishes to encourage the establishment of such industries by private enterprise and the Department of Commerce and Industries has been set up to assist such enterprise.

2. Government, through the Department of Commerce and Industries, is encouraging the improvement and development of cottage and village industries and is prepared to initiate new cottage and village industries. The Department of Commerce and

Industries will also relieve other Departments of any commercial projects once they have passed the experimental stage, will operate such projects on a commercial basis and arrange for their eventual disposal to Co-operative Societies or other suitable bodies.

3. No expansion of the Public Works Department at Abeokuta is anticipated at present.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

219. To ask the Honourable the Director of Education:—

Will Government reconsider the age limit for admission of school children to Government Colleges, *e.g.*, children above 13 years old are not permitted to sit entrance examination to King's College?

Answer—

The Hon. the Director of Education:

No, Sir. The suggestion contained in the Honourable Member's question would, if adopted, be a retrograde step.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

225. To ask the Honourable the Chief Secretary to the Government:—

Will Government as in the case of Medical Practitioners allow Government licensed surveyors private practice in their spare time if they so desire?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir.

The First Lagos Member (The Hon. Ernest Ikoli):

230. To ask the Honourable the Chief Secretary to the Government:—

Whether in view of the establishment of a Department of Commerce and Industries which is already functioning it was not time for Supply Department to be wound up and its duties transferred to the latter?

Answer—

The Hon. the Chief Secretary to the Government:

Yes, Sir. The Supply Branch of the Nigerian Secretariat is in the process of being wound up.

The First Lagos Member (The Hon. Ernest Ikoli):

232. To ask the Honourable the Chief Secretary to the Government:—

Whether Government had received notice of claims by certain Idejo or landowning chiefs in Lagos in respect of lands now occupied by Government and generally described as Crown lands; and whether Government will make a pronouncement respecting the rights of these chiefs to the areas which they claim.

Answer—

The Hon. the Chief Secretary to the Government :

Yes, Sir. Government is considering the claims submitted, but in view of the complexity of the issues involved no pronouncement on the subject can be made at present.

Supplementary Question:

The First Lagos Member (The Hon. Ernest Ikoli) :

Arising out of the reply to this question will Government give a definite date when pronouncement on this matter could be made?

Answer—

The Hon. the Chief Secretary to the Government :

Your Excellency, the very nature of this problem does not admit of an announcement being promised for a definite date.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

233. To ask the Honourable the Chief Secretary to the Government:—

Why should the proposals for the Revision of the Political and future Constitutional Development of Nigeria cost 1s in Nigeria, when the printed price in England as Cmd 6599 was only 3d?

Answer—

The Hon. the Chief Secretary to the Government :

The charge of 1s in Nigeria is based upon costs of production of a relatively small number of copies. The charge in United Kingdom is no doubt based upon an issue of several thousands.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

235. To ask the Honourable the Chief Secretary to the Government:—

How soon shall petrol be de-controlled in Nigeria?

Answer—

The Hon. the Chief Secretary to the Government :

The question of the de-control of petrol in Nigeria is being pursued with the appropriate authorities in the United Kingdom.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

236. To ask the Honourable the Chief Secretary to the Government:—

Whether Government will not allay public apprehensions in Nigeria by a timely official pronouncement that Nigeria will not at any time be given away to a foreign power without the consent of His Majesty's Loyal Subjects and Protected Persons being first sought and obtained?

Answer—

The Hon. the Chief Secretary to the Government :

There is no possibility of such a contingency arising and thus no cause for apprehension now or in the future.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

237. To ask the Honourable the Chief Secretary to the Government:—

(i) Whether Government's acquiescence is either necessary or desirable for the staging of Adamu-Orisha Play—a purely national and religious ceremony whereby the “natives” of this country perpetuate the memory of the dead as has been the custom since the year 1854 (February 20) when King Docemo performed the Funeral obsequies of the King Akitoye?

(ii) Why did the Government not prohibit the staging of the Adamu-Orisha play in the year 1920 when it was staged in honour of the Dead after the World War I and to which the name “Eyo Red Cross” was officially appended?

Answer—

The Hon. the Chief Secretary to the Government :

Yes, Sir.

(i) Government is responsible for the maintenance of peace and good order and, in fulfilment of this responsibility, power has been granted to a Superior Police Officer under the provisions of section 35 (2) of the Police Ordinance (No. 27 of 1942) to withhold a licence from any person who is desirous of convening or collecting any assembly or of forming any procession in any public road or place of public resort, if he is not satisfied that the assembly or procession is not likely to cause a breach of the peace.

(ii) The Honourable Member is presumed to refer to the Adamu-Orisha play which was staged in Lagos in 1917. There is no record of the reasons for permitting the celebration of this play at that time.

The First Lagos Member (The Hon. Ernest Ikoli) :

251. To ask the Honourable the Chief Secretary to the Government:—

(a) How many Development Officers have been appointed up to date?

(b) What are the qualifications for appointment as a Development Officer? and

(c) Whether there is any scheme by which suitable Africans could be trained for such appointments?

Answer—

The Hon. the Chief Secretary to the Government :

(a) 52.

(b) A high standard of education, proved organizing ability and experience which is likely to be of assistance in the implementation of the Development Plan.

(c) No special scheme exists and since practical experience is one of the qualifications required for appointment no special scheme can be devised.

*Supplementary Question:***The First Lagos Member (The Hon. Ernest Ikoli):**

In view of the reply to this question will Government consider appointment of Africans as Development Officers among officers now in Government service and who possess the required qualifications; and if no such candidates are available whether the posts could be advertised so as to enable those not now in the service but having the necessary qualification to apply for them?

Answer—

His Excellency:

I think the reply to the Honourable Member is that Government is always willing to consider applications from any African who considers that he has qualifications which should entitle him to an appointment and if we can find any we shall welcome him.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

254. To ask the Honourable the Chief Secretary to the Government:—

Whether the conferences of Western and Northern Provinces Rulers held annually are legislative or deliberative in character?

Answer—

The Hon. the Chief Secretary to the Government:

The conferences are deliberative.

MOTIONS**The Hon. the Acting Financial Secretary:**

Your Excellency, I beg to move the Resolution standing in my name, which reads:—

“ Be it resolved:

“ That the Report of the Finance Committee which was
“ laid on the table to-day be adopted.”

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Sir, I beg to second.

Motion adopted.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the Resolution standing in my name which reads as follows:—

“ Be it resolved:

“ That Mr Adegbite Offa, D.C.M., formerly Sergeant-
“ Major, Nigeria Police Force, who was retired
“ after 43 years' meritorious service of which 18

“ were in the Royal West African Frontier Force,
 “ be granted, in addition to the Royal West African
 “ Frontier Force and Police gratuities already paid
 “ to him, an annual allowance of £36 with effect
 “ from the 4th of November, 1944, being the date he
 “ retired from the Nigeria Police Force.”

Adegbite Offa enlisted in the Army at Ibadan in 1901 and was discharged as a Company Sergeant-Major in 1913. He re-enlisted in the following month and was discharged as a Company Sergeant-Major in 1919. Less than a fortnight later he enlisted in the Nigeria Police Force, and was discharged as a Sergeant-Major in November, 1944. He served throughout the 1914-18 war, and was awarded the Distinguished Conduct Medal. He was also mentioned in despatches for gallant and distinguished service in the field. His Police service was equally meritorious. He received the Certificate of the Royal Humane Society for assisting in saving a man from drowning, and was awarded the African Police Medal in recognition of conspicuous gallantry displayed during operations.

On discharge from the Army in 1919, Sergeant-Major Adegbite Offa was awarded a gratuity of £30. On discharge from the Police Force in 1944 he was awarded a gratuity of £123 11s 4d. Both of these gratuities were in accordance with the law applicable on each occasion. His total receipts from Government by way of retiring benefits therefore amounted to a sum of £153 11s 4d with no pension or allowance. I have no doubt that Honourable Members will agree that this is inadequate compensation for a man with such a long and distinguished record. It is considered that in this case the appropriate addition to his retiring benefits would be an annual allowance of £36.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Motion adopted.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the Resolution standing in my name which reads as follows:

“ Be it resolved that this Council approves of the award of
 “ compassionate allowances as follows:—

“ (1) Annual allowance of £105 to Mrs E. S. Jones,
 “ widow of the late Mr C. R. W. Jones, Marine
 “ Officer, with effect from the 4th of February,
 “ 1946, subject to the condition that the allowance
 “ shall cease on re-marriage, and of £13 2s 6d to
 “ each of her two children until such child
 “ attains the age of 18 years.

“(2) Annual allowance of £105 to Mrs J. P. Hewby,
“ widow of the late Mr W. P. H. Hewby, First
“ Class Resident, with effect from the 12th of
“ February, 1946.”

The late Mr Jones was appointed to the service of this Government in 1933. In 1936, Sir, he was injured in the course of his duties as a result of which he was invalided on pension from the service in 1940.

Mr Jones died in February of this year, and it is accepted that his death was accelerated by the injury to which I have referred. Had Mr Jones died while in Government service as a result of the injury he received, his widow and children would have been eligible for the benefits set out in the first part of the Resolution now before Council.

There is however no provision in the law to cover these exceptional cases of officers dying prematurely after retirement as a result of injury on duty.

It is considered it would be equitable in this case to make an *ex gratia* award of the amounts for which his family would have been eligible if Mr Jones had died on duty.

The second part of the Resolution relates to the widow of the late Mr W. P. Hewby, First Class Resident, who, after sixteen years' service with the National African and Royal Niger Companies joined the Government Service in 1900. He retired in 1913 after thirty years service in Nigeria with a pension of £430. Mr Hewby died eight months ago, and Mrs Hewby, who is left without means, has appealed for compassionate assistance on the grounds of her husband's long service to Nigeria in the early days. Honourable Members may have seen references in the overseas press, as I have, to the services rendered by this distinguished officer.

Mrs Hewby is about 60 years old, and in view of her circumstances and of previous awards of a like nature it is submitted for consideration that a compassionate allowance of £105 a year should be granted.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Motion adopted.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the Resolution standing in my name which reads:

“ Be it resolved:

“ That this Council approves the appropriation from the
“ General Revenue Balance to the Supplementary
“ Sinking Fund of the sum of £1,000,000.”

The General Revenue Balance represents the accumulated annual surpluses and deficits of Government and at the 31st of March last amounted to roughly £7,250,000.

The Supplementary Sinking Fund amounted to £2,500,000 at the same date and the intention of the Resolution now before Council is to increase the Fund to £3,500,000 by transferring £1,000,000 from the general revenue balance.

Honourable Members are I hope, Sir, aware of the purpose of the Supplementary Sinking Fund. It is a kind of reserve fund to be used as may be necessary to add to the monies available in the Sinking Funds on the occasion of repayment of loans raised in the past by Government.

As has been pointed out to this Council on a former occasion, owing to low rates of annual contributions and reduced earning capacity of investments the Sinking Funds are inadequate to redeem our old loans as they mature and it is necessary to take a decision on these occasions as to how much of the old loans can be redeemed and how much should be converted to a new loan.

The present Resolution arises from the opportunity that has occurred in relation to the Nigerian 5 per cent Loan 1947-57.

It will be obvious to Honourable Members that we should take the first possible opportunity to redeem that loan as the rate of interest, namely 5 per cent, is very high compared with current rates in the London money market.

Unfortunately, compared with the outstanding loan of £4,250,000, the amount available in the Statutory Sinking Fund is only roughly £1,000,000. In other words we are £3,250,000 short.

It has been decided, therefore, to use £2,000,000 of the Supplementary Sinking Fund and to convert the difference of £1,250,000 into a new loan. I do hope, Sir, that that is clear to Honourable Members. We owe £4.25 million which will be covered by

£1.0 million from Statutory Sinking Fund
 £2.0 million from Supplementary Sinking Fund
 £1.25 million by conversion

£4.25 million.

I think, Honourable Members will be interested to hear that the terms of this conversion loan of £1,250,000 is a rate of 99 with interest at $2\frac{1}{2}$ per cent redeemable in 1966-71. It is, in fact, the cheapest loan that Nigeria has ever been able to raise.

At the same time it is proposed to recoup the Supplementary Sinking Fund to the extent of £1,000,000 by a transfer from the general revenue balance.

I would add that the whole field of our outstanding loans and sinking funds is under review with the object of co-ordinating future contributions.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Motion adopted.

BILLS

(First Readings)

THE PENSIONS (WAR SERVICE) (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Pensions (War Service) Ordinance, 1941.”

The original Ordinance, Sir, was enacted to preserve the pension rights of officers who were released from the service of the Nigerian Government to serve in His Majesty's Forces. This amending Bill is intended to give the same treatment to those officers who failed to obtain the permission of Government but decided to resign and join the Forces.

As Honourable Members are aware, resignation from the Civil Service entails a loss of pension and gratuity for which officers might otherwise be eligible.

It is true that these officers were warned of the consequences of resignation, but it is felt that now the war is over it would be fitting to extend the privilege of continuity of service to those officers who have been re-employed in the public service.

I should add, Sir, that similar action is being taken throughout the Colonial Empire.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE FOLDED WOVEN GOODS (AMENDMENT) ORDINANCE, 1946

The Hon. the Comptroller of Customs and Excise:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Folded Woven Goods Ordinance.”

The amendment to section 16 makes the Governor's power to make regulations a little more elastic in order to cope with the

conditions of commerce created by the war. The amendment to the Schedule brings machine made bafts within the provisions of the Ordinance and exempts the hand made variety.

Your Excellency, I commend the Bill to the Council.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

The Hon. the Comptroller of Customs and Excise:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE RAILWAYS (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting General Manager of the Railway:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to amend the Railways Ordinance.”

The objects and reasons are given at the foot of the Bill. These are mainly self-explanatory but I have to add that this amendment will bring the Railways Ordinance into line with established practice as laid down in United Kingdom legislation.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a first time.

The Hon. the Acting General Manager of the Railway:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE DOGS (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to amend the Dogs Ordinance, 1942.”

The principal Ordinance provides for measures to control rabies, and gives power under section 16 for controlling measures to be brought into operation on the order of Chief Commissioners in the Protectorate and on the order, in the Colony, of the Commissioner of the Colony. It is desirable, if not essential, that such orders should, in certain circumstances, be made without delay, and it is thought that the best solution is to make provision whereby the powers of the Chief Commissioners in the Protectorate and the Commissioner of the Colony so far as the Colony is concerned, may be delegated to District Officers and Residents so that they can make the orders, if necessary forthwith; and this Bill as drafted gives effect to that object.

Your Excellency, I beg to move.

The Hon. the Senior Resident, Warri Province :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General :

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE GOVERNMENT AND RAILWAY SERVANTS (WITHDRAWAL FROM PROVIDENT FUNDS) (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the first reading of a Bill entitled :—

“ An Ordinance to amend the Government and Railway Servants (Withdrawal from Provident Funds) Ordinance, 1945.”

That Ordinance allowed a period of one year, which expired on the 31st March, 1946, for depositors in the Government and Railway Servants Provident Funds to elect to withdraw from the Funds.

Some months ago it became evident that new and consolidated legislation was needed to provide adequate retiring benefits for the subordinate grades of the Police Force and of the Prisons Department. Such legislation is in course of preparation but it is necessary in the meantime to safeguard the interests of those who have decided not to withdraw from the Provident Fund in ignorance of the possible new legislation. It is desired to extend the period for a further year to 31st March, 1947, for all contributors to these two funds.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary :

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE ROYAL WEST AFRICAN FRONTIER FORCE (NIGERIA REGIMENT) (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move the first reading of a Bill entitled :—

“ An Ordinance further to amend the Royal West African Frontier Force (Nigeria Regiment) Ordinance.”

This is a short amending Bill which is designed to implement the decision that corporal punishment shall no longer be inflicted upon

African troops for offences against military discipline. There is one consequential amendment, and that has been found necessary in the case of the offence of rape, which is punishable under the Criminal Code by whipping. Had we merely removed all references to whipping from the principal Ordinance, rape would not have been so punishable, and we have had to make a consequential amendment to bring the punishment for rape into line with that which can be inflicted under the Criminal Code.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second the motion that this Bill be read a first time.

Bill read a first time.

The Hon. the Acting Attorney-General:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE STAMP DUTIES (AMENDMENT) ORDINANCE, 1946

The Hon. P. W. Adshead (Accountant-General):

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance further to amend the Stamp Duties Ordinance, 1939.”

The purpose of this Bill is to abolish the fee of 5s which at present is payable whenever an instrument is assessed for stamp duty by a Commissioner of Stamp Duty. The effect of such an assessment and the payment of stamp duty renders that instrument admissible in evidence. It is thought that the public who submit documents for stamping will, for their own protection, accept the advice of a Commissioner and pay to have the instrument properly stamped. The object is achieved by sub-paragraph 1, clause (2) of this Bill. The other amendments are consequential.

Sir, I beg to move.

The Hon. the Comptroller of Customs and Excise:

Sir, I beg to second.

Bill read a first time.

The Hon. P. W. Adshead (Accountant-General):

I beg to give notice that at a later date at this meeting I will move the second reading of the Bill which has just been read a first time.

THE ROYAL WEST AFRICAN FRONTIER FORCE (NIGERIA REGIMENT)
(MODIFICATION) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to modify the Royal West African Frontier Force (Nigeria Regiment) Ordinance.”

By Ordinance No. 51 of 1945, which was of a temporary character, provision was made to enable offences against discipline by troops serving abroad to be dealt with either under the Army Act or under the Royal West African Frontier Force Ordinance. When the emergency passed in February, this temporary Ordinance passed with it; but it is essential that similar provision should be continued in force until all the Nigerian troops have been brought back from overseas, and the object of this Bill is to make new provision on the same lines, so as to enable proceedings to be taken either under the Army Act or under the Royal West African Frontier Force Ordinance. I would point out that this Bill itself is of a temporary character, and by virtue of clause 1 sub-clause (2) will only continue in operation until a date which, in due course, will be fixed by His Excellency the Governor for its expiry.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second the motion that this Bill be read a first time.

Bill read a first time.

The Hon. the Acting Attorney-General:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE FORESTRY (AMENDMENT) ORDINANCE, 1946

The Hon. F. S. Collier (Chief Conservator of Forests):

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance further to amend the Forestry Ordinance, 1937 ”.

As the law stands at present a Forest Officer or Ranger cannot conduct proceedings in a Magistrate's Court in respect of an offence against the provisions of the Forestry Ordinance or Regulations without the express authorisation of the Attorney-General in each specific case. It is the practice therefore for the Police to conduct these proceedings wherever possible; but the Police have many other things to do and their services are not always available. In addition, although a forestry case is often simple and clear cut, it must involve technicalities which require the knowledge of a Forest Officer. But to ask the authority of the Attorney-General in each specific case would entail a great deal of unnecessary work and delay in public business. This Bill is designed to avoid such delay by providing a general authority for officials of the Forestry Department to conduct proceedings in a Magistrate's Court.

Your Excellency, I beg to move.

The Hon. the Resident, Onitsha Province :

Sir, I beg to second.

Bill read a first time.

The Hon. F. S. Collier (Chief Conservator of Forests) :

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LAGOS TOWN PLANNING (AMENDMENT) ORDINANCE, 1946

The Hon. J. G. C. Allen (Acting Commissioner of the Colony) :

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance further to amend the Lagos Town Planning Ordinance, 1928 ”.

Town Planning in all other parts of Nigeria is carried out in accordance with the provisions of the Nigeria Town and Country Planning Ordinance No. 4 of 1946, but in Lagos the situation is peculiar since a Town Planning authority already exists under the title of the Lagos Executive Development Board. This Board was constituted under the provisions of section 3 of the Lagos Town Planning Ordinance No. 45 of 1928, and is the holder of numerous commitments. It is clearly more practicable from every point of view that the existing Board should be strengthened and adapted to the changes which have taken place since its inception rather than that a new authority should be constituted to which the assets of the present Board would have to be conveyed and which would have to start afresh the work of organization which has been carried out so ably in the past. This Bill, therefore, introduces no new principle but merely brings the Lagos Town Planning Ordinance of 1928 into line with the Nigeria Town and Country Planning Ordinance of 1946, while at the same time amending the membership of a Board which has functioned efficiently and with the co-operation of the people for the last eighteen years. The Lagos Executive Development Board as constituted by Ordinance No. 45 of 1928 and as amended by Ordinance No. 16 of 1938 comprises the following membership:—

Commissioner of Lands (Chairman).

President of the Lagos Town Council.

Deputy Financial Secretary.

Deputy Director of Health Services.

Member of the Lagos Town Council to be nominated by the President subject to Your Excellency's approval.

The reasons prompting the changes advocated in section 2 of the Bill are fully set forth in paragraphs 6-14 of Sessional Paper No. 24 of 1946 which has been laid on the table of the House.

Sub-section (b) of section 2 was devised to remove the present unsatisfactory position whereby various aspects of development are

dealt with by different bodies working independently. It will also enable the Board to obtain the advice and assistance, where required, of experts other than those included in its membership.

Sub-section (c) is self-explanatory.

Sections 3 and 4 of the Bill provide for the removal of an anomaly in the principal Ordinance. It is considered that the order approving a declaration that a building is insanitary is not a matter for registration in a Lands Registry and that the registration of such an order would serve no useful purpose.

Section 5 refers to a declaration of a Town Planning area and merely conforms with similar provision in the Nigeria Town and Country Planning Ordinance.

Section 6 of the Bill conforms almost exactly with section 11 of the Nigeria Town and Country Planning Ordinance and is designed to control development pending the carrying into effect of a planning scheme. Such a provision is essential in any town planning undertaking but it will be noted that in order not to interfere unnecessarily with the freedom of the individual or the flow of trade the Board is empowered in sub-section (2) of this section to grant to any person applying in writing therefor interim development permission subject to such conditions as the Board may deem necessary to impose.

Sub-section (2) of section 40 of the principal Ordinance which section 7 of the Bill is designed to amend, does not make sense as it stands at present. Land which has been acquired by the Board is naturally vested in the Board. The purpose of the amendment is to ensure that land which is to be acquired under section 38 (1) of the principal Ordinance is deemed to be vested in the Board upon service of the necessary notice, so that the Board can proceed with its plans while negotiations are proceeding. This amendment, which brings the Ordinance into line with section 35 (2) of the Nigeria Town and Country Planning Ordinance will expedite the work of Town Planning and will prevent development work being held up by protracted litigation.

Section 8 of the Bill provides for the repeal of section 54 of the principal Ordinance which allows for the sale or lease by auction of any land which the Board may desire to give on sale or lease, if the Board considers that such a right can be given without detriment to the carrying out of the purposes of the Ordinance. This section is considered unnecessary and contrary to the interests of the true land owners. Since the Board has legally acquired the land it must be aware of the identity of its owner and any dispute which may arise can always be referred to the Courts for settlement under section 44 of the principal Ordinance. If this amendment is passed into law the former owner will in such cases be able to exercise his right under section 54 (3) to receive the land from the Board without having to outbid other claimants who would in fact have no

right whatsoever to the land. Thus the former owners of land which the Board may decide to give on sale or lease under this section will be protected from aggressive claimants and from being forced to pay an inflated price for the land.

Your Excellency, I beg to move.

The Hon. N. S. Clouston, O.B.E. (Commissioner of Lands and Director of Surveys):

Sir, I beg to second.

Bill read a first time.

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIA TOWN AND COUNTRY PLANNING (AMENDMENT)
ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to amend the Nigeria Town and Country Planning Ordinance, 1945 ”.

This is a very short and simple amendment. The position is that under section 71 of the principal Ordinance a planning authority is only enabled to buy and sell property for the purposes of its functions under the Ordinance, and it is considered desirable that a planning authority should also be empowered to deal with property otherwise than by selling. This amendment will enable a planning authority to let, hire, lease, exchange or otherwise dispose of property. That is the object of this Bill.

Sir, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second the motion that this Bill be read a first time.

Bill read a first time.

The Hon. the Acting Attorney-General:

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE LABOUR CODE (AMENDMENT NO. 2) ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance further to amend the Labour Code Ordinance, 1945.”

Your Excellency, this amendment is so simple and it is so clearly

set out in the Objects and Reasons what it is desired to achieve that I have no further observations to make on it.

Sir, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

The Hon. E. A. Miller (Commissioner of Labour):

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE SHIPPING AND NAVIGATION (CARRIAGE OF VALUABLE AND DANGEROUS GOODS—AMENDMENT) ORDINANCE, 1946

The Hon. the Director of Marine:

Your Excellency, I rise to move the first reading of a Bill entitled:—

“An Ordinance to amend the Shipping and Navigation Ordinance.”

The object of the Bill is to correct an error in the existing wording relating to the types of goods to be carried by inland waters.

Your Excellency, I beg to move.

The Hon. the Comptroller of Customs and Excise:

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Marine:

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIAN EX-SERVICEMEN'S WELFARE ASSOCIATION
ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I beg to move the first reading of a Bill for
“An Ordinance to establish an Association to be known as the Nigerian Ex-Servicemen's Welfare Association and to provide for the Constitution and Functions of that Association and for purposes connected therewith.”

The objects which the Bill sets out to achieve are clearly expressed at the end of the Bill in the Objects and Reasons. After the first great war, Sir, in 1914-18, there were many cases of individual hardship amongst ex-servicemen, particularly amongst the old and infirm. Assistance was given in such cases by the Disabled Soldiers' Fund, the main object of which was to relieve hardship among Nigerian ex-soldiers by the grant of pensions or by the augmentation of existing pensions and by the dispensation of money grants in deserving cases. But the world war which has just

ended has left us with approximately three times as many ex-servicemen. A larger organisation with a much wider scope is essential and it is with this object in view that the Welfare Association has been founded. I would particularly invite the attention of Honourable Members to certain aspects of the Association's objects which are laid down in clause 6. In paragraphs 1 (c) and (e) it is expressly provided that necessitous ex-servicemen shall be assisted and if the Association thinks fit hostels shall be established for the old and infirm and for their families as well. In paragraph 1 (a) there is a provision for the promotion of comradeship amongst ex-servicemen. Amongst the 100,000 soldiers who have been or are to be demobilized, many will have returned from victorious campaigns, whether in Africa, Burma, India or elsewhere, and they will be inspired with a firm determination to promote the best interests of their country in every possible way. Apart from those who secure employment in the large towns of the country, they will find themselves separated in small communities up and down the country. By fostering the spirit of comradeship the great deeds of the war will be remembered in family and tribal tradition.

As regards funds, Sir, the Association already has £60,000 to its credit, but details of these funds will be given in a Bill which is shortly to be moved by my honourable friend the Accountant-General.

Administration will be in the hands of the Association itself which will be assisted by four Regional Councils, one each in the Northern, Eastern and Western Provinces and one for the Colony. It will be noted that clause 13 allows the delegation by Regional Councils of certain of their functions. This will allow the Association to pursue its activities in any area if it is considered desirable to do so.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. E. A. Miller (Commissioner of Labour):

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NIGERIAN EX-SERVICEMEN'S WELFARE ASSOCIATION (VESTING OF CERTAIN CHARITABLE FUNDS) ORDINANCE, 1946

The Hon. P. W. Adshead (Accountant-General):

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to provide for the vesting in, and administration by, the Nigerian Ex-Servicemen's Welfare Association of three charitable funds, and for purposes connected therewith.”

The purpose of this Bill is to place the balance of certain charitable funds into the hands of the controlling body of the Ex-Servicemen's Welfare Association referred to in the previous Bill. There are three funds concerned and they are fully described in the Preamble to the Bill. Two of the funds are held, Sir, in the hands of the Accountant-General and the other one, which is the Disabled Soldiers' Fund, is under the control, and always has been under the control, of the officer commanding the Military Forces in Nigeria. Honourable Members will be interested to know the balances in these funds. Of the two held by the Accountant-General—the balance of the "Win the War Fund" is £11,872 and the Ex-Servicemen's Benevolent Fund is £40,773. The latter is a legacy from the Relief Fund which was raised in Nigeria during the war. The balance of the Disabled Soldiers' Fund, according to the balance sheet submitted to me by the Welfare Officer is £13,585. The total, therefore, Sir, is approximately £66,000 and not £60,000, which was mentioned in the Objects and Reasons of the previous Bill. The sum of £66,000 only, will therefore represent the initial capital at the command of the Ex-Servicemen's Association and it will, of course, have to be supplemented by other means.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. P. W. Adshead (Accountant-General):

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE MOTOR TRANSPORT LICENSING ORDINANCE, 1946

The Hon. the Director of Public Works:

Your Excellency, I beg to move the first reading of a Bill entitled:—

"An Ordinance to make provision for the Licensing and Control of Commercial Motor Transport, and for matters connected therewith."

At the outset I would explain, Sir, that it is not the intention to apply the provisions of this Ordinance until the existing regulations under the Defence Regulations are revoked and the object in bringing this Bill forward at this time is that suitable machinery shall be immediately available when required to replace the existing regulations and so that the change over can be made smoothly and all the knowledge and experience which we have gained in the control of motor transport during the last few years may be directed to the new conditions and not be lost.

The provision of efficient and sufficient transport facilities is a matter of the greatest importance and is the key to many of our

problems. It is not, therefore, the intention to restrict the development of motor transport but on the contrary to foster and develop it to the fullest possible extent so that a sound and healthy transport industry may be built up. At the present time, transport facilities are woefully short of our requirements and it is, therefore, the more important that at the present time, when post-war development is in its early stages, that steps should be taken to see that such future development is on proper lines.

Experience in countries where motor transport has been more fully developed than in Nigeria—and even in Nigeria in the few years immediately before the war there was ample evidence and demonstrations of the need to control commercial motor transport in the interests both of the general public and of the motor transport industry itself—and it would be unwise of us to disregard the extension and very valuable experience which has been bought at the expense of others and insist upon buying it at our own expense.

Even in Nigeria to-day omnibuses and taxis in Townships, and Railway and aerservice charges are subject to control and regulation and the measure now proposed is merely a logical extension of that principle. The objects and reasons set out at the end of the Bill show very clearly what is intended and how it is proposed to assist the motor transport industry by protecting their interests, in fact this is the main object. It will be noticed that the provisions of the Ordinance differ materially from those of the existing regulations for under the present conditions every description of motor vehicle and every road is subject to control, but in the future it is only proposed to control vehicles operating on specified routes where it is apparent that control is necessary. The expense of controlling areas and roads where control is not necessary would not be justified. It may be assumed that at the outset and possibly for some years the number of roads and the number of vehicles operating on them will be small by comparison with the total road mileage in the country and the total number of vehicles operating. The other important point is the provision that roads to be controlled must be specified by the Governor in Council—declared by the Governor in Council—and that is a safeguard of the public interest and will ensure that regulations are not imposed where there is no necessity. The constitution of the proposed licensing Board has been designed to secure not only impartiality but also for the full knowledge necessary to be available to Members to enable conditions and requirements to be appreciated. A further safeguard is the provision that a member must disclose any interest he has in transport undertakings and no member may take part in the discussions or vote when applications for licences in which he has a direct interest are being considered. The power to regulate the number of vehicles operating on any one route is extremely valuable to transport operators, particularly to the small man, because it will mean that numbers in excess of those required to deal with the traffic offering

can be restricted and the small operator cannot be swamped by the large operator putting on an excessive number of vehicles, in fact there will be enough traffic for all. The other provision for prescribing adequate passenger and freight rates will probably be the most valuable of all to the transport operators as it will be a safeguard against an unfair and uneconomic competition which even in the early stages of Nigeria we have had some experience. The publishing of Notices of Applications and Objections is a further safeguard, both of the public and of the industry. The laying down of the matters to which the Board shall pay regard when considering applications and objections ensures that the public interests are fully safeguarded and that alternative forms of transport, Railway and water, are given proper consideration. In this connection, Sir, I would emphasize that the Railway is one of the most valuable assets of the people of Nigeria and it is necessary that it should be used to the fullest possible extent, and as the property of the public it is entitled to reasonable protection in common with other forms of transport against unfair and uneconomic competition as far as the public interest is concerned as opposed to sectional interests.

It will be noticed in connection with the penalties that they have been designed so that it will be possible for the Court to ensure that an unscrupulous operator cannot by disregarding the law make a greater profit than the penalty which he is liable to incur and also it makes it difficult for him to shield himself behind his driver—that is what often happens and the driver is not normally a highly paid man. Another point which will be noted is that no fees are charged for operating licences.

I think it will be realized, Sir, that it will be possible within the provisions of the proposed Ordinance for the motor transport industry to develop and extend in order to meet the needs of the country. In fact, Sir, the Bill can be described as the motor transport operators' charter, at any rate the small operators'.

I commend the Bill, Sir, to the consideration of the Council:

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

The Hon. the Director of Public Works:

Sir, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE IMMIGRATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to amend the Immigration Ordinance, 1945 ”

Although the Ordinance of 1945 has been put on the Statute Book, it has not yet been brought into operation and the object of this

amending Bill is to introduce into the new Immigration Ordinance a provision from the 1939 Immigration Ordinance, which is now in operation, imposing a statutory liability on employers to refund to Government any expenses which may be incurred if Government has to deport any of their non-native employees. This will ensure that the public is not put to expense in the matter, and it will also assist in some measure the employers themselves because it will do away with the necessity of demanding a bond or other sufficient security. The liability will be a statutory one. As I say, this is not a new provision; it is a provision which is in the existing Ordinance.

Your Excellency, I beg to move.

The Hon. T. V. W. Finlay (Commissioner of Police):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE MINERALS (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“An Ordinance to amend the Minerals Ordinance, 1945.”

Clauses 3 and 5 of this Bill are designed to prevent evasion by a person who is disqualified from holding a prospecting licence—evasion of the requirements of the Ordinance by entering into partnership with somebody who has a licence.

The other provisions of this Bill, namely clauses 2 and 4, merely correct, first, an accidental printing omission, and secondly, a double classification of a mineral.

Your Excellency, I beg to move.

The Hon. the Senior Resident, Kano Province:

Your Excellency, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE ABAK AND OPOBO DIVISIONS OF THE CALABAR PROVINCE
(CURFEW) ORDINANCE, 1946

His Honour the Chief Commissioner, Eastern Provinces:

Your Excellency, I beg to move the first reading of a Bill entitled:—

“ An Ordinance to enable a curfew to be imposed in the Abak and Opobo Divisions of the Calabar Province and to confer upon the Police special powers of search.”

Your Excellency, the objects and reasons at the foot of the Bill I think adequately explain the necessity for the provisions. Considerable notoriety has been achieved already by certain parts of the Opobo and Abak Divisions on account of these series of murders and I think Honourable Members are generally aware of what has been going on. I had hoped, Your Excellency, to be able to report a considerable improvement to this Council this morning as before I left Enugu the last murder reported was on the 23rd September, but just before I left to come to this Council this morning two further murders were reported involving three persons. They occurred on Wednesday and Saturday of last week. In the first of these murders a small boy of 10 years of age was snatched from the verandah of his house at about 7 o'clock in the evening in the presence of his own brother who, even now, still says that he was taken by a wild animal. I need hardly say it was not a wild animal. In the second murder two females were killed, one aged 26 and the other about 30. The women were killed about one mile away from their village. In all these three cases the bodies were mutilated in the normal way now attached to these murders. I consider, Sir, that the continuation of such brutal murders gives very adequate reasons for the provisions of the Bill.

Your Excellency, I beg to move.

The Hon. T. V. W. Finlay (Commissioner of Police):

I beg to second.

Bill read a first time.

His Honour the Chief Commissioner, Eastern Provinces:

I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

Council adjourned at 12.8 p.m. until 10 a.m. on Tuesday, the 29th of October, 1946.



Debates in the Legislative Council of Nigeria

Tuesday, 29th October, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Tuesday, the 29th October, 1946.

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable G. F. T. Colby.
- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Acting Financial Secretary,
The Honourable A. W. J. Savage.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Comptroller of Customs and Excise,
The Honourable W. T. Martin.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompson, C.M.G., M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Acting General Manager of the Railway,
The Honourable D. C. Woodward.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The First Lagos Member,
The Honourable E. Ikoli.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable Jesse Ogboru.
- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.
- The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.
- The Member for the Ijebu Division,
The Honourable T. A. Odutola.
- The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.
- The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable T. V. W. Finlay,
Commissioner of Police.

- The Honourable F. S. Collier,
Chief Conservator of Forests.
- The Honourable P. W. Adshead,
Accountant-General.
- The Honourable C. J. Pleass,
Acting Development Secretary.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT**OFFICIAL MEMBERS**

- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Niger Province,
Captain the Honourable B. E. Sharwood-Smith, E.D.
- The Resident, Bornu Province,
The Honourable C. R. Niven, M.C.
- The Resident, Benin Province,
Captain the Honourable J. C. F. Pender, M.C.
- The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.
- The Honourable E. A. Carr,
Commissioner of the Colony.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 28th of October, 1946, having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 48-49 and 123 by the Honourable the Third Lagos Member; Nos. 127 and 130-132 by the Honourable the Second Lagos Member; Nos. 135 and 148 by the Honourable the Member for the Colony Division; No. 150 by the Honourable the Member for the Rivers Division; No. 153 by the Honourable the Third Lagos Member; No. 163 by the Honourable the Member for Calabar; Nos. 168, 172 and 174-175 by the Honourable the Third Lagos Member; Nos. 187-189 and 200 by the

Honourable the Member for the Ibibio Division; No. 207 by the Honourable E. W. Cannell; Nos. 211-212 by the Honourable the Member for the Egba Division; No. 213 by the Honourable the Third Lagos Member; Nos. 215-218 and 220-223 by the Honourable the Member for Calabar; Nos. 226-228 and 231 by the Honourable the First Lagos Member; Nos. 234 and 238-239 by the Honourable the Third Lagos Member; Nos. 240-247 by the Honourable the Member for the Ijebu Division; Nos. 249 and 252-253 by the Honourable the First Lagos Member; Nos. 256-258 by the Honourable the Third Lagos Member and No. 260 by the Honourable the First Lagos Member are not yet ready.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari):

151. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether it is true that the Imo River land was declared Township or Crown Land some years ago?

(b) If yes, was this land acquired constitutionally under the Public Lands Acquisition Ordinance then in force?

(c) If not, why?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No area of land at Imo River has been declared a township under section 3 of the Townships Ordinance (Cap. 57). Land at Imo River is held by a Deed of Absolute Surrender dated the 1st of December, 1915 under which the Chiefs of Aba Division, fully appreciating the benefits which would be derived by them and by their people by the construction of the Nigerian Eastern Railway through their country, demised unto the Crown such lands as might be required by the Government for the purposes of the said Railway, for Stations, Warehouses, Buildings, Roads, the establishments of traders' sites and for all and any other purposes for which the said Government might think fit to use the said lands. Under this Agreement the Chiefs received full payment of all compensation due to them, their towns and their people and to all persons residing on or having an interest in the said lands for damage done to houses, crops and trees and other property. The Honourable Member's attention is also invited to the replies to Question No. 152 asked by him.

(b) The land at Imo River held by Government was constitutionally acquired though not under the Public Lands Acquisition Ordinance.

(c) Because the transaction was arranged by mutual consent.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

158. To ask the Honourable the Director of Medical Services:—

(a) Why is the European Hospital at Jos provided with five Frigidaires, one of which is at present out of order?

(b) Why is the African Hospital at Jos provided with only one Frigidaire?

(c) Which is the bigger of the two establishments?

Answer—

The Hon. the Director of Medical Services :

(a) The European Hospital at Jos is provided with only one Frigidaire.

(b) Because one is sufficient.

(c) The African Hospital.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

164. To ask the Honourable the Director of Medical Services:—

(i) The sources of the following water supplies, their methods of purification, the chemical and bacteriological analysis of the potable products:—

- (a) Offa (b) Ilorin (c) Minna (d) Kaduna (e) Zaria (f) Kano
(g) Katsina (h) Maiduguri (i) Jos (j) Yola (k) Kafanchan
(l) Nsukka.

(ii) Is it true that the source of the Lagos water supply is seriously becoming depleted at Iju? If the answer is in the affirmative, will the Honourable the Director of Medical Services place at the disposal of this House what immediate steps (if any) are being taken to remedy the situation?

Answer—

The Hon. the Director of Medical Services :

(i) The information sought is only available in the case of water supplies at Ilorin, Kaduna, Zaria, Jos and Kano. Supplies at Jos are obtained from a reservoir impounding a stream, while at Ilorin, Kaduna, Zaria and Kano river water is the source of supply. The attention of the Honourable Member is invited to Sessional Paper No. 14/1946 for a statement of the methods of purification and details of chemical and bacteriological analysis.

Supplies in the other towns mentioned are under investigation; routine clinical analysis of these supplies are not carried out.

(ii) No, Sir. Rising consumption, however, is approaching the dry season capacity. Active steps are being taken to augment and eventually double the supply by tapping the Ogun River, doubling filter capacity and duplicating delivery mains.

The Third Lagos Member (Dr. the Hon. Ibiyinka Olorun-Nimbe) :

173. To ask the Honourable the Director of Public Works:—

(a) What will be the cost of the New Clerks' Quarters now being erected at Kaduna?

(b) Is the Honourable the Director aware of the fact that cheap materials are being used in their construction?

(c) Is the Honourable the Director also aware that the new types of houses are definitely inferior in design to the old solid but not too commodious an abode?

(d) Will the Honourable the Director be willing to go on a tour of inspection of these houses and condemn them forthwith in order to minimise avoidable waste of public revenue?

Answer—

The Hon. the Director of Public Works :

(a) The cost of the new staff quarters at Kaduna was £1,741.

(b) The only deviation from standard practice for permanent buildings was in the use of *pisé de terre* walls and of local matting ceilings.

(c) No, Sir.

(d) No, Sir.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

180. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether the convenient system of paying Income Tax by two or more instalments operating in the Colony of Lagos cannot be extended to the Provinces especially in Calabar where the collection of tax is well organised by the Calabar Native Authority under close supervision of the District Officers?

(b) If so, whether it can be introduced in this 1946-47 Tax season which may commence in October in order to lighten heavy disbursements which a good many Income Tax payers have to face on account of increased Income Tax?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Payment of Income Tax in two instalments is permitted to all payers of Income Tax under the Income Tax Ordinance except to inhabitants of Lagos in receipt of an income of less than £50.

(b) The reference to the Calabar Native Authority suggests that the Honourable Member has in mind taxes paid under the Direct Taxation Ordinance. While instalments of such taxes are in some cases accepted by Native Authorities for the convenience of the taxpayer, the organization of payment by regular instalments is not at present practicable.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

183. To ask the Honourable the Director of Education:—

In view of the great demands for higher educational qualification for students required for the University colleges of the West African

University, and the great need for academical attainments for secondary Schools in the country, Government will not consider the advisability of increasing Overseas's Scholarships.

Answer—

The Hon. the Director of Education :

Facilities for gaining the necessary educational qualification for entry to the proposed West African University College are available locally and scholarships are not therefore required for this purpose. Pending the provision of certain facilities for the training of secondary school staff within the territory the existing provision for Overseas scholarships is at present considered adequate having regard to the general financial position of the Territory and to the limited number of vacancies in Universities in the United Kingdom which are at present available to Colonial students. The Honourable Member's attention is invited in this connection to the Public Notice which appeared in the local Press on the 11th of July, 1946. Neither last year nor this year has it been possible for the Secretary of State to find a vacancy for every candidate who was in fact awarded a scholarship.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

185. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether an Advisory Council has been set up in the Calabar Province to advise and assist Government in matters relating to the employment and training of Ex-servicemen?

(b) If so, is Government in a position to state what recommendations it has made and whether these recommendations have been acted upon?

(c) If not, will Government consider the advisability of appointing not only a Provincial Advisory Committee but Divisional Committees which should get in touch with ex-servicemen in the various divisions with a view to helping and advising them?

Answer—

The Hon. the Chief Secretary to the Government :

(a) No, Sir. But an Advisory Committee has been set up in accordance with the terms of section 13 of the Employment of Ex-Servicemen's Ordinance (No. 48 of 1945). The attention of the Honourable Member is invited to Government Notice No. 1181 published in *Gazette* No. 63 dated October 4th, 1945.

(b) Section 14 of the Employment of Ex-Servicemen's Ordinance charges such an Advisory Committee with the duty of advising upon and reporting on any matter submitted to it for that purpose by the Advisory Council for Nigeria or by the Commissioner of Labour. No such matter has been submitted to the Calabar Provincial Advisory Committee for advice.

(c) The present arrangements for resettling Ex-Servicemen appear to be working smoothly and there is little likelihood that additional Committees, if set up under the Ordinance, would

contribute usefully to the problems of resettlement. Administrative Officers and others have taken and continue to take such action as is possible and is suitable to any particular locality and the advice, assistance and co-operation of Native Authority and other interested persons is freely sought.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

191. To ask the Honourable the Director of Education:—

Whether experienced teachers of worth in Mission Assisted Schools and holding Senior Teachers Certificates who are likely to give ten or more years service cannot be given special courses in Achimota or Fourah Bay College or a year's course in the London Colonial Institute of Education, preferably in the Senior School of Education, in their special subjects to enable them to fit in well and keep pace with the demand for higher qualifications until such time as Graduate Teachers of younger generation are available to replace these teachers who have done and will be doing excellent work in the different Mission Schools in spite of their non-academical qualifications?

Answer—

The Hon. the Director of Education:

It is the policy of Government to award scholarships, tenable at the Colonial Department of the London University Institute of Education, to teachers of proved worth and experience whether they are employed by Government, Native Authorities or Voluntary Agencies. The number of such awards is governed by the financial provision available.

Government does not award scholarships to institutions in the other West African Territories except in special cases as, for example, the School of Librarianship at Achimota.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

199. To ask: Under Heading "Police" in His Excellency's Address to the Legislative Council 13th March 1944 "During the year there were many minor and three serious disturbances in the Cameroons, Aba and at Calabar".

- (a) Will His Honour the Chief Commissioner, Eastern Provinces, please give a short account of the Calabar incident?
- (b) Was it a riot?
- (c) Was the Riot Act read?
- (d) Were there any casualties?
- (e) Any arrests?
- (f) If so, were they soldiers or civilians?
- (g) Were the men tried by a duly constituted Court martial or in an open British Court of Justice?
- (h) Was any legal aid given for their defence?
- (i) Were they convicted?
- (j) For how long?
- (k) Approximate ages of those convicted?
- (l) Will His Excellency kindly consider a reprieve?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

(a) A disturbance in which soldiers were involved occurred at Calabar on October 20th, 1943. A Pioneer of the W.A.A.P.C. was involved in a market dispute over the non-payment for a meal and the Police Constable on duty told both the Pioneer and the complainant to accompany him to the Police Sub-station. On the way a number of Pioneers molested the constable and endeavoured to drag him away in the direction of the military Barracks. The constable blew his whistle and all available men in the Sub-station went to his assistance and were successful in rescuing the constable and his prisoner and taking them to the sub-station. Shortly afterwards a party of Pioneers attacked the Sub-station but were driven off by a police baton charge. More pioneers arrived on the scene and another attack was broken up by a baton charge.

Subsequently a number of pioneers, estimated at about 200, wearing steel helmets and armed with matchets and heavy sticks, marched towards the Sub-station. They were in a state of frenzy and refused to return to the Barracks when ordered to do so by their British Non-commissioned Officers. On arrival the pioneers attacked almost without a pause and faced by greatly superior numbers armed with matchets the Police scattered. The pioneers then commenced to batter down the windows of the charge office with their matchets and to force the doors of the constables' houses where they looted and smashed all the property that they could lay their hands on. At this stage an armed party of the Police arrived at the sub-station.

The rioters then proceeded to advance towards the armed party and when it became obvious that they would not desist from their attack the order to fire was given. One pioneer was killed; five shots were fired. The rioters continued to advance; fire was again opened and four pioneers were killed and the mob then dispersed.

(b) Yes, Sir.

(c) No, Sir.

(d) Five rioters were killed and six were wounded. One Police constable was seriously wounded and twenty-five others suffered from cuts, abrasions and minor injuries. Two civilians received minor injuries.

(e) The ringleaders were arrested by their local Commanding Officer.

(f) They were soldiers.

(g) Forty-seven pioneers in all were tried. They were tried in the High Court of the Calabar Division before Mr Justice Callow, charged under sections 71 and 76 of the Criminal Code.

(h) No, Sir.

(i) and (j) Of the forty-seven men tried, forty-five were convicted and two were discharged. The following sentences were inflicted:—

2	to 7	years	I.H.L.	each	(one with 12 strokes in addition).
2	„	6	„	„	„
9	„	5	„	„	„
9	„	4	„	„	„
3	„	3	„	„	„

1 to 2½ years I.H.L. each
 7 „ 2 „ „ „
 3 „ 18 months „ „
 3 „ 12 „ „ „
 4 „ 9 „ „ „
 2 Bound over for 6 months.

(k) Police records show that the estimated ages of the men at the time of conviction were as follows:—

1	aged	24	years.
2	„	26	„
1	„	27	„
3	„	28	„
6	„	29	„
9	„	30	„
4	„	31	„
2	„	32	„
3	„	33	„
2	„	34	„
9	„	35	„
2	„	36	„
1	„	39	„

(l) No, Sir.

The Member for the Egba Division (The Rev. and Honourable Canon S. A. Delumo):

209. To ask the Honourable the Chief Secretary to the Government:—

Whether in the interest of the growing enlightened sections of the community, and having regard to the existing shortage of trained personnel, Government will consider the employment of suitable sons of the soil who are already conversant with the different quarters of the town for training as postmen to undertake the duties of house to house delivery of letters in Abeokuta town?

Answer—

The Hon. the Chief Secretary to the Government:

Yes, Sir, subject to the continuation of the existing practice of promoting to vacancies in the grade of Postmen selected persons from other grades in the Department.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

214. To ask the Honourable the Director of Medical Services:—

(a) What is the total bed accommodation in the European Hospital: Will the Honourable the Director of Medical Services please give the figures for the African Hospital for comparison?

(b) How many patients attended the Out-patients in both Hospitals in the years 1944 and 1945?

(c) How many patients from European Firms received treatment at the European Hospital within the past five years, and for which they paid by cheques to the Doctor or Doctors attached to the Hospital for Professional Services rendered?

(d) How many such patients were treated surgically as opposed to those medically and obstetrically treated?

(e) Will the Honourable the Director of Medical Services consider the re-introduction of the system in vogue in both Hospitals in 1938 when the Surgical Specialist and the Medical Specialist ran both Hospitals as is at present done by the Surgical Specialist at Port Harcourt in their consultant capacity?

Answer—

The Hon. the Director of Medical Services :

- (a) European Hospital—62 beds and 3 cots.
African Hospital—261 beds and 43 cots or cradles.
- (b) European Hospital—4,931 in 1944 and 4,432 in 1945.
African Hospital—284,125 in 1944 and 284,741 in 1945.
- (c) and (d) Statistics are not available.
- (e) Reorganisation of Specialists duties is at present under consideration.

The Member for Calabar (The Rev. & Hon. O. Efong, O.B.E.) :

224. To ask the Honourable the Chief Secretary to the Government:—

For the purpose of reckoning or judging qualifications for the award of certain medals (as Defence Medal) will Government be pleased to advise the War Office that Nigeria, Gold Coast, Sierra Leone and Gambia are four different countries in view of the fact that British West Africa is generally regarded by the War Office as one country?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir.

The First Lagos Member (The Hon. Ernest Ikoli) :

229. To ask the Honourable the Chief Secretary to the Government:—

Whether it is proposed to continue the provision in the next financial year of the sum of £130,000 made available this year for the employment of Ex-Servicemen as supernumeraries in various Government Departments and Native Administrations; and if not why not?

Answer—

The Hon. the Chief Secretary to the Government :

It is not possible at present to determine the amount to be provided in the year 1947-48, but the policy as set out in paragraph 192 of the memorandum on the Estimates of the current year will be maintained.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

248. To ask the Honourable the Chief Secretary to the Government:—

- (a) Is it a fact that the whole of the revenue derived from Licence fees on Motor Vehicles plying on roads constructed and maintained by the Administrations go into the Central Government Treasury?
- (b) If not, what proportion of it is retained by the Native Administrations?

(c) If the reply to (a) above is in the affirmative, will Government please reconsider the position which is unfair to the Native Administrations and allow them to retain a substantial portion of the fees, if only to reimburse them for expenses incurred in connection with the construction and maintenance of such Roads?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes.

(b) Does not arise.

(c) The whole field of financial relations between Central Government and the Native Administrations is at present under review.

The First Lagos Member (The Hon. Ernest Ikoli) :

250. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether there is any foundation for the reports that it is intended to constitute once again the Land and Survey Department into two separate departments each to be under its own head, as used to be the case before the two were merged together?

(b) Also whether in the proposed arrangement, more adequate provision for staff would be made in the Land Registration Section than is at present the case?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) The staff of the Land Registration Section is considered adequate for the present volume of work. Any increase in the volume of work would be met by an equivalent increase of staff.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

255. To ask the Honourable the Chief Secretary to the Government:—

Whether the recommendations and/or findings of the Dod's Report on the conditions of services of Native Administration employees have been approved by Government in whole or in part as recommended by the Chief Commissioner of the Northern, Western and Eastern Provinces? If in part, what portion has been deleted?

Answer—

The Hon. the Chief Secretary to the Government :

All the recommendations contained in the Dods' Report were approved except as follows:—

(a) Minor alterations were made to the salary scales applicable to police and prisons staff.

(b) The grading in the Standard Scales was altered to allow the introduction of a new Grade V scale, *i.e.* £24-3-30; £36-3-48.

(c) A Sub-scale was added to permit appointments at various rates not exceeding £24 per annum.

(d) The scales for Teachers were altered to those recommended to the Secretary of State under the ten year development plan.

(e) The rules governing the transfer of staff to the new salary scales were accepted as provided in paragraph 61A of the report and these were also made applicable in respect of the employees classified in paragraph 61B.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

259. To ask the Honourable the Director of Medical Services:—

How soon shall a legislation be brought before the House compulsorily requesting Mercantile Houses to provide Medical and Health facilities for their employees Europeans and Africans by maintaining their own Hospitals?

Answer—

The Hon. the Director of Medical Services :

The Honourable Member is referred to sub-section (f) of section 129 of the Labour Code Ordinance which provides the powers required.

BILLS

(Second and Third Readings)

THE PENSIONS (WAR SERVICE) (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Pensions (War Service) Ordinance, 1941 ”.

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

His Excellency :

The question is that this Bill be read a second time.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

Bill read a third time and passed.

THE FOLDED WOVEN GOODS (AMENDMENT) ORDINANCE, 1946

The Hon. the Comptroller of Customs and Excise :

Sir, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Folded Woven Goods Ordinance.”

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1-3.
Title.
Council resumed.

The Hon. the Comptroller of Customs and Excise:

Sir, I beg to report the Bill from Committee without amendment.
 I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.
Bill read a third time and passed.

THE RAILWAYS (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting General Manager of the Railway:

Sir, I beg to move the second reading of a Bill entitled:—
 “An Ordinance to amend the Railways Ordinance.”

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1 and 2.
Title.
Council resumed.

The Hon. the Acting General Manager of the Railway:

Sir, I beg to report the Bill from Committee without amendment.
 I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.
Bill read a third time and passed.

THE DOGS (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Sir, I beg to move the second reading of a Bill entitled:—
 “An Ordinance to amend the Dogs Ordinance, 1942.”

The Hon. the Senior Resident, Warri Province:

I beg to second.
Bill read a second time.
Council in Committee.
Enactment.
Clauses 1 and 2.
Title.
Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee without amendment.
I beg to move that the Bill be now read a third time and passed.

The Hon. the Senior Resident, Warri Province :

I beg to second.

Bill read a third time and passed.

THE GOVERNMENT AND RAILWAY SERVANTS (WITHDRAWAL
FROM PROVIDENT FUNDS) ORDINANCE, 1945

The Hon. the Acting Financial Secretary :

Sir, I beg to move the second reading of a Bill entitled :—

“ An Ordinance to amend the Government and Railway
Servants (Withdrawal from Provident Funds) Ordinance,
1945 ”.

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment.
I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

Bill read a third time and passed.

THE ROYAL WEST AFRICAN FRONTIER FORCE (NIGERIA
REGIMENT) (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General :

Sir, I beg to move the second reading of a Bill entitled :—

“ An Ordinance further to amend the Royal West African
Frontier Force (Nigeria Regiment) Ordinance.”

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-6.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee without amendment.
I beg to move that the Bill be now read a third time and passed;

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a third time and passed.

THE STAMP DUTIES (AMENDMENT) ORDINANCE, 1946

The Hon. P. W. Adshead (Accountant-General):

Sir, I beg to move the second reading of a Bill entitled:—

“An Ordinance further to amend the Stamp Duties Ordinance, 1939.”

The Hon. the Comptroller of Customs and Excise:

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-3.

Title.

Council resumed.

The Hon. P. W. Adshead (Accountant-General):

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. the Comptroller of Customs and Excise:

I beg to second.

Bill read a third time and passed.

THE ROYAL WEST AFRICAN FRONTIER FORCE (NIGERIA REGIMENT)
(MODIFICATION) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Sir, I beg to move the second reading of a Bill entitled:—

“An Ordinance to modify the Royal West African Frontier Force (Nigeria Regiment) Ordinance.”

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Attorney-General:

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a third time and passed.

THE FORESTRY (AMENDMENT) ORDINANCE, 1946

The Hon. F. S. Collier (Chief Conservator of Forests):

Sir, I beg to move the second reading of a Bill entitled:—

“ An Ordinance further to amend the Forestry Ordinance, 1937 ”.

The Hon. the Resident, Onitsha Province :

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. F. S. Collier (Chief Conservator of Forests):

Your Excellency, I beg to move that clause 2 be amended by deleting all the words appearing after the word “ shall ” in section 2 where it first occurs and substituting:—

“ be brought in the name of the Chief Conservator of Forests, and may be instituted and conducted by him or any Forestry Officer not below the rank of Assistant Conservator, or by any other Forestry Officer authorised generally, or specifically in relation to any particular proceedings or class of proceedings, by writing under the hand of a Forestry Officer not below the rank of Assistant Conservator ”.

At the present time it is desirable that proceedings shall be conducted by African Forest Rangers. We wish to give the African as much responsibility as we can. It is a great waste of time if special authority has to be obtained from the Chief Conservator of Forests in each case:

Amendment approved.

Clause 2 as amended.

Title.

Council resumed.

The Hon. F. S. Collier (Chief Conservator of Forests):

Sir, I beg to report the Bill from Committee with one amendment.

I beg to move that the Bill be now read a third time and passed.

Bill read a third time and passed.

THE NIGERIA TOWN AND COUNTRY PLANNING (AMENDMENT)
ORDINANCE, 1946

The Hon. the Acting Attorney-General :

Sir, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Nigeria Town and Country Planning Ordinance, 1945 ”.

The Hon. N. S. Clouston, O.B.E. (Commissioner of Lands and Director of Surveys):

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Acting Attorney-General:

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

Bill read a third time and passed.

THE LABOUR CODE (AMENDMENT NO. 2) ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour):

Sir, I beg to move the second reading of a Bill entitled:—

“ An Ordinance further to amend the Labour Code Ordinance, 1945 ”.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. E. A. Miller (Commissioner of Labour):

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a third time and passed.

THE SHIPPING AND NAVIGATION (CARRIAGE OF VALUABLE AND DANGEROUS GOODS—AMENDMENT) ORDINANCE, 1946.

The Hon. the Director of Marine:

Sir, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Shipping and Navigation Ordinance ”.

The Hon. the Comptroller of Customs and Excise:

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Director of Marine :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

Bill read a third time and passed.

THE NIGERIAN EX-SERVICEMEN'S WELFARE ASSOCIATION
ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour) :

Your Excellency, I beg to move the second reading of a Bill entitled :—

“ An Ordinance to establish an Association to be known as the Nigerian Ex-Servicemen's Welfare Association and to provide for the Constitution and Functions of that Association and for purposes connected therewith.”

The Hon. C. W. Reece (Acting Solicitor-General) :

Your Excellency, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-5.

Clause 6.

The Hon. E. W. Cannell :

Your Excellency, I beg to move that the Bill be amended by the deletion from section 2 of clause 6 of the words “ of African descent ”. The Bill as originally drafted would preclude the Association from affording any help to a non-African ex-serviceman living in Nigeria who might have fallen on hard times. I think the number of such cases might be very few but I feel that there is nothing inconsistent in prescribing that the Bill should be extended by the deletion of these three words to make it possible to help any such persons who require assistance.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, the amendment proposed was considered when this Bill was drafted and it was felt that as European ex-servicemen had their own Associations in England and as it seemed very improbable that any European ex-serviceman or any ex-servicemen not of African descent was likely to fall on hard times in Nigeria that the operation of this Bill should be restricted to ex-servicemen of African descent.

His Excellency :

Does the Honourable Member wish to press his amendment?

The Hon. E. W. Cannell :

Your Excellency, I would wish to say that even if there were just one non-African ex-serviceman in need out here, I would still wish that these words should be deleted to make it possible that he should be afforded some help.

His Excellency :

The Honourable Member has heard the reason, and it seems a perfectly good one, why the Bill is drafted as it is, but as the Honourable Member wishes the matter to go to a vote, I will put this amendment to a vote. It will be an entirely free vote on both sides of the House. The question is that clause 6 (2) be amended as stated by the Honourable Member who proposed the amendment. Will those in favour say "Aye" and those against "No".

The Hon. J. G. C. Allen, M.C., Acting Commissioner of the Colony	No
The Hon. C. W. Reece, Acting Solicitor-General ...	No
The Hon. C. J. Pleass, Acting Development Secretary	No
The Hon. P. W. Adshead, Accountant-General ...	No
The Hon. F. S. Collier, Chief Conservator of Forests	No
The Hon. T. V. W. Finlay, Commissioner of Police	No
The Hon. N. S. Clouston, O.B.E., Commissioner of Lands and Director of Surveys	Aye
The Hon. E. A. Miller, Commissioner of Labour ...	No
The Hon. E. W. Cannell	Aye
The Hon. the Commercial Member for Kano ...	Aye
The Hon. the Commercial Member for Lagos ...	Aye
The Hon. the Third Lagos Member	Aye
The Hon. the Member for the Ijebu Division ...	Aye
The Hon. the Commercial Member for Port Harcourt	Aye
The Hon. the Member for the Egba Division ...	Aye
The Hon. the Member for the Ibibio Division ...	Aye
The Hon. the Member for the Ibo Division ...	Aye
The Hon. the Member for the Rivers Division ...	Aye
The Hon. the Second Lagos Member	Aye
The Hon. the Member for the Warri Division ...	Aye
The Hon. the Member for the Oyo Division ...	Aye
The Hon. the Member for the Ondo Division ...	Aye
The Hon. the Member for the Cameroons Division ...	Aye
The Hon. the Member for the Colony Division ...	No
The Hon. the First Lagos Member	Aye
The Hon. the Mining Member	No
The Hon. the Member for the Calabar Division ...	No
The Hon. the Director of Agriculture	No
The Hon. the Director of Public Works	No
The Hon. the Acting General Manager of the Railway	No
The Hon. the Senior Resident, Onitsha Province ...	No
The Hon. the Senior Resident, Warri Province ...	No
The Hon. the Senior Resident, Kano Province ...	No
The Hon. the Comptroller of Customs and Excise ...	Aye
The Hon. the Director of Marine	No
The Hon. the Director of Education	No

The Hon. the Director of Medical Services	No
The Hon. the Acting Financial Secretary	No
The Hon. the Acting Attorney-General	No
His Honour the Chief Commissioner, Eastern Provinces	No
His Honour the Chief Commissioner, Western Provinces	No
His Honour the Chief Commissioner, Northern Provinces	No
The Hon. the Acting Chief Secretary to the Government	No

His Excellency :

The vote on the amendment is " Aye "s 18 and " No "s 25. The amendment is therefore lost.

Clauses 7-17.

Council resumed.

The Hon. E. A. Miller (Commissioner of Labour) :

Your Excellency, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Your Excellency, I beg to second.

Bill read a third time and passed.

THE NIGERIAN EX-SERVICEMEN'S WELFARE ASSOCIATION (VESTING OF CERTAIN CHARITABLE FUNDS) ORDINANCE, 1946

The Hon. P. W. Adshead (Accountant-General) :

Your Excellency, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to provide for the vesting in, and administration by, the Nigerian Ex-Servicemen's Welfare Association of three charitable funds, and for purposes connected therewith ”.

The Hon. C. W. Reece (Acting Solicitor-General) :

Your Excellency, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

Clauses 1-4.

Preamble.

Council resumed.

The Hon. P. W. Adshead (Accountant-General) :

Your Excellency, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.
Bill read a third time and passed.

THE IMMIGRATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Immigration Ordinance, 1945 ”.

The Hon. T. V. W. Finlay (Commissioner of Police):

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Title and enacting clause.
Clauses 1 and 2.
Council resumed.

The Hon. the Acting Attorney-General:

Your Excellency, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be read a third time and passed.

The Hon. T. V. W. Finlay (Commissioner of Police):

Sir, I beg to second.
Bill read a third time and passed.

THE MINERALS (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General:

Your Excellency, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to amend the Minerals Ordinance, 1945.”

The Hon. the Senior Resident, Kano Province:

Sir, I beg to second.
Bill read a second time.
Council in Committee.
Title and enacting clause.
Clauses 1-5.
Council resumed.

The Hon. the Acting Attorney-General:

Your Excellency, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be read a third time and passed.

The Hon. the Senior Resident, Kano Province:

Sir, I beg to second.
Bill read a third time and passed.

THE ABAK AND OPOBO DIVISIONS OF THE CALABAR PROVINCE
(CURFEW) ORDINANCE, 1946

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to move the second reading of a Bill entitled :—

“ An Ordinance to enable a curfew to be imposed in the Abak and Opobo Divisions of the Calabar Province and to confer upon the Police special powers of search.”

The Hon. T. V. W. Finlay (Commissioner of Police) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Title and enacting clause.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to move that the enacting clause be deleted and the following substituted therefor :—

“ Be it enacted by the Governor of the Protectorate of Nigeria, with the advice and consent of the Legislative Council so far as the provisions hereof relate to the Southern Provinces, as follows :— ”

It was a pure mistake of drafting.

Amendment approved.

Title and enacting clause, as amended.

Clause 1.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to move that clause 1 (1) be amended by deleting the words “ and shall come into operation on the day of, 1946 ” ; and also that the word “ commencement ” in the marginal note be deleted. The reason for this is that it is considered unnecessary as the provisions of the Ordinance will not apply until the Curfew Order has been made.

Amendment approved.

Clause 1 as amended.

Clauses 2-4.

Clause 5.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to move the following amendment :—

In clause 5 (2) the first eight words should be deleted and substituted by “ Any person found about in any curfew area.” It is a question of drafting.

Amendment approved.

Clause 5 as amended.

Clause 6.

Clause 7.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to move that this clause be amended as follows :—

In clause 7 (1) delete paragraph (a) and reletter paragraphs (b), (c) and (d) as (a), (b) and (c). In the new

paragraph (b), *delete* the first six words and *substitute* therefor "anything which has been, or is intended to be". These paragraphs were adopted from sections 106 and 107 of the Criminal Code Ordinance and the wording of paragraph (a) as it stands is inappropriate.

Amendment approved.

Clause 7 as amended.

Council resumed.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to report the Bill from Committee with seven amendments. I beg to move that the Bill be read a third time and passed.

The Hon T. V. W. Finlay (Commissioner of Police) :

Sir, I beg to second.

Bill read a third time and passed.

THE LAGOS TOWN PLANNING (AMENDMENT) ORDINANCE, 1946

The Hon. J. G. C. Allen (Acting Commissioner of the Colony) :

Your Excellency, I beg to move the second reading of a Bill entitled:—

" An Ordinance further to amend the Lagos Town Planning Ordinance, 1928."

I would ask the permission of the Chair to make a brief statement in connection with this second reading. I am authorised to state, Sir, that after due consideration Government has decided to increase the membership of the proposed Lagos Executive Development Board as shown in paragraph 2 of the Bill by the inclusion of three African Members appointed by Your Excellency. This proposed amendment authorising the inclusion of three African Members will be formally moved at the Committee stage of the Bill.

The Hon. N. S. Clouston, O.B.E. (Commissioner of Lands and Director of Surveys) :

Sir, I beg to second.

The Third Lagos Member (Dr. the Hon. Ibiyinka Olorun-Nimbe) :

Your Excellency, before the Bill before the House is discussed I should very much like to refresh the memory of Members, and of Government in particular, with regard to the statement of policy in regard to land.

His Excellency :

I do not wish to interrupt the Honourable Member, unnecessarily, but it will save time if I remind him that under the rules of debate in this Council it is not possible to introduce into the debate matters which are irrelevant to the matter before the House. The question of land policy is not involved in this Bill.

The Third Lagos Member (Dr. the Hon. Ibiyinka Olorun-Nimbe) :

Your Excellency, is there any objection to the publication of my speech?

His Excellency :

I have no power over what the Honourable Member does outside this House.

The Second Lagos Member (The Hon. E. A. Akerele) :

Sir, I rise to second what my Honourable Friend the Third Lagos Member has just said. The general feeling of the people of Lagos is to oppose this Bill in toto. We are not sure and we are not satisfied with the condition of our land. The land tenure in this country is not defined yet and we feel that before any town planning of this nature is to be put before this House that question ought to be thrashed out. . . .

His Excellency :

I do not wish to interrupt the Honourable Member unnecessarily but may I point out that this Bill deals merely with constitution. It is a matter of administrative convenience, and if this Bill is passed, or if it is not passed, it will not alter the constitution with regard to planning. It will merely alter the administration.

The Second Lagos Member (The Hon. E. A. Akerele) :

Your Excellency, in that case I must say that so far as Unofficial Members are concerned, and as we represent the people of Lagos, that we object to this Bill being passed at all.

The First Lagos Member (The Hon. Ernest Ikoli) :

Your Excellency, I quite appreciate the point which you have raised—that is—that it is introducing matters which are not relevant to the Bill before the House, but we would like to point out that the amendment in this Bill is in connection with the planning which is proposed, and as my Honourable Friend the Second Lagos Member has introduced the question of land tenure, the question as to whether there should be an increase in the membership of the Board, or whether the Board should remain as it is, is immaterial to the people of Lagos, so that if it is Government's policy merely to alter the Body in connection with the 1928 Ordinance, and it would have nothing whatever to do with the present proposals for town planning, we should be satisfied.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I feel that the three Honourable Members who have just got up to make some remarks about this Bill have really entirely misunderstood the object of it. As Honourable Members are aware there has been a Lagos Town Planning Bill in existence for 18 years, and owing to the financial depression in the early thirties, the pace at which the replanning of Lagos has proceeded has been extremely slow. In connection with the development plan, it was decided by Government to try and accelerate the development of Lagos. I do not think anybody could possibly walk round the slums of Lagos and not come to the immediate conclusion that there was a very great deal to be done. Our proposals for the

acceleration of the development of Lagos involve the expenditure of a considerable sum of money and consequently as this greatly increased expenditure was anticipated, it was the feeling of Government, on the recommendation of the Lagos Town Planning Commission that the membership of the Board should be considerably strengthened in order to enable them to plan and to direct these proposals which would involve very considerable expenditure, but I would like to assure the Honourable First Lagos Member that there is no change of policy involved in this Bill. It is merely to implement the Government's determination to get ahead with the planning of Lagos at a greatly increased tempo.

His Excellency :

Does any other Member wish to address the House? The question is that this Bill be read a second time.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

Your Excellency, I beg to move the following amendment to sub-paragraph (a) firstly by deleting the word "and" occurring at the end of paragraph (g) of the proposed new sub-section (2); secondly (b) by changing the full stop at the end of paragraph (h) into a semi-colon, deleting the inverted commas and semi-colon at the end thereof, and inserting the word "and" thereafter; thirdly (c) by adding thereto the following paragraph:—" (i) three African members appointed by the Governor by notice in the Gazette "

Amendment approved.

Clause 2 as amended.

Clause 3.

Clause 4.

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

Your Excellency, I beg to move the following amendment to clause 4:—that clause 4 be deleted and the following clause substituted therefor:—

" Section 11 of the principal Ordinance is hereby amended :

(a) by the deletion of the word " registration " from the first line thereof and by the substitution therefor of the word " making "

(b) by the deletion of sub-section 5 thereof."

This is a consequential amendment resulting from the changes enacted in section 3 of the Bill, and the omission to include in the Bill was due to an oversight.

His Excellency :

Will you read the section as amended?

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

“ Section 11 of the principal Ordinance is hereby amended (a) by the deletion of the word “ registration ” from the first line thereof, and by the substitution therefor of the word “ making ”.

(b) by the deletion of sub-section 5 thereof.

Amendment approved.

Clause 4 as amended.

Clauses 5-8.

Title.

Council resumed.

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

Your Excellency, I beg to report the Bill from Committee with two amendments. I beg to move that the Bill be read a third time and passed.

The Hon. N. S. Clouston, O.B.E. (Commissioner of Lands and Director of Surveys):

I beg to second.

Bill read a third time and passed.

THE MOTOR TRANSPORT LICENSING ORDINANCE, 1946

The Hon. the Director of Public Works :

Your Excellency, I beg to move the second reading of a Bill entitled:—

“ An Ordinance to make provision for the Licensing and Control of Commercial Motor Transport, and for matters connected therewith.”

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Your Excellency, most of the Members of the Unofficial side have asked me to put before Your Excellency the necessity of deferring the debate on this Bill as they are still conferring with the motor transport interest here in Lagos.

His Excellency :

Will the Honourable Member say what length of deferment he is asking for?

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

It was suggested that the conference with the transport interest in Lagos should take place tomorrow, Your Excellency, and that the Bill might be resumed on Thursday morning.

His Excellency :

I should like to meet the wishes of Honourable Members but I was wondering whether it would be possible to have the meeting

tomorrow morning with the transport owners. The reason I ask the question is that Thursday is the day when H.M.S. *Nigeria* arrives and I shall be busy in the morning with formal calls from the Admiral and so forth and will not be able to sit in Council in the morning. Would Honourable Members be ready to meet tomorrow afternoon or is that too early?

The First Lagos Member (The Hon. Ernest Ikoli):

I think we shall be able to arrange a meeting tomorrow morning and to meet in Council in the afternoon.

His Excellency:

Would it be possible for Honourable Members to have their meeting this afternoon. I am anxious to meet the wishes of Honourable Members but it is a matter of fitting it in.

The Member for the Ondo Division (The Ven. & Hon. Archdeacon L. A. Lennon, M.B.E.):

We should like it deferred until the December Meeting, Your Excellency.

His Excellency:

I think it would be a pity to do that because Honourable Members are able to hold their meeting now. The Honourable the Senior Unofficial Member suggested Thursday morning and if Honourable Members would be prepared to meet at 11.30 on Thursday morning I think I could be present then.

The First Lagos Member (The Hon. Ernest Ikoli):

That would suit us, Sir.

His Excellency:

As there is no further business before us, Council will now adjourn until 11.30 on Thursday morning.

Council adjourned at 11.5 a.m. until 11.30 a.m. on Thursday, the 31st of October.

Debates in the Legislative Council of Nigeria

Thursday, 31st October, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 11.30 a.m. on Thursday, the 31st of October, 1946

PRESENT

OFFICIAL MEMBERS

- The Governor,
His Excellency Sir Arthur Richards, G.C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable G. F. T. Colby.
- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Acting Financial Secretary,
The Honourable A. W. L. Savage.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Comptroller of Customs and Excise,
The Honourable W. T. Martin.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompstone, C.M.G., M.C.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Acting General Manager of the Railway,
The Honourable D. C. Woodward.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.

The Acting Director of Agriculture,
The Honourable J. D. Brown.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The First Lagos Member,
The Honourable E. Ikoli.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable Jesse Ogboru.
- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo (*absent
in the afternoon*).
- The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.
- The Member for the Ijebu Division,
The Honourable T. A. Odutola.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.
- The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.

- The Honourable T. V. W. Finlay,
Commissioner of Police.
- The Honourable F. S. Collier,
Chief Conservator of Forests.
- The Honourable P. W. Adshead,
Accountant-General.
- The Honourable C. J. Pleass,
Acting Development Secretary.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E.,
R.D., R.N.R.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Niger Province,
The Honourable B. E. Sharwood-Smith, E.D.
- The Resident, Bornu Province,
The Honourable C. R. Niven, M.C.
- The Resident, Benin Province,
Captain the Honourable J. C. F. Pender, M.C.
- The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBER

- The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.

PRAYERS

His Excellency the Governor opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 29th of October, 1946, having been printed and circulated to the Honourable Members were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 48 and 123 by the Honourable the Third Lagos Member; Nos. 127 and 130-132 by the Honourable the Second Lagos Member; No. 135 by the Honourable the Member for the Colony Division; No. 172 by the Honourable the Third Lagos Member; Nos. 127 and 200 by the Honourable the Member for the Ibibio Division; No. 212 by the Honourable the Member for the Egba Division; No. 213 by the Honourable the Third Lagos Member; Nos. 218, 221 and 223 by the Honourable the Member for Calabar; Nos. 228 and 231 by the Honourable the First Lagos Member; No. 234 by the Honourable the Third Lagos Member; Nos. 242, 243, 245-247 by the Honourable the Member for the Ijebu Division; No. 252 by the Honourable the First Lagos Member; Nos. 256-258 by the Honourable the Third Lagos Member and No. 260 by the Honourable the First Lagos Member are not yet ready.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

49. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) How many owners were compensated for the 1,351 acres of land acquired at Ibadan, under the Public Lands Acquisition Ordinance for the Ibadan Water Works Supply catchment area in April, 1941, and how much was the total amount of compensation paid to the landowners?

(b) How much was the amount of compensation paid for the 75.02 acres included in that catchment area known as Apete land exclusive of the value of crops adjudicated by the Ibadan Court, and to whom was the amount paid for the land?

(c) Whether Government will acquire Apete Village near that area as a water shed to save the pollution of the water supply, and if so, what amount of compensation has been set apart for that purpose?

Answer—

His Honour the Chief Commissioner, Western Provinces :

(a) Compensation amounting in all to £5,611 15s 11d was paid to 942 persons.

(b) No compensation was paid in respect of an ultimate title in land.

(c) No, Sir.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.) :

148. To ask the Honourable the Chief Secretary to the Government:—

(a) How many accidents occurred by lorries attempting to cross rail lines in the last six months?

(b) In how many of the cross roads are signal posts put with telephone communication to keep the Gatemen informed about the approach of trains?

(c) What were the findings of the Court on the accident at Idioro crossroad a few months ago?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Fifteen, of which five were with trains or engines and ten with level crossing gates.

(b) Telephones or other electric warning devices are installed at eighteen level crossings.

(c) The Gateman was convicted of manslaughter and sentenced to eighteen months' imprisonment with hard labour.

The Member for the Rivers Division (The Ven. and Hon. Archdeacon E. T. Dimieari) :

150. To ask the Honourable the Chief Secretary to the Government who collects annual rents from the African and European merchants established at Imo River?

Answer—

The Hon. the Chief Secretary to the Government :

The Nigerian Government collects annual rents from European merchants at Imo River. No rents are collected from African merchants. In this connection the Honourable Member's attention is invited to the replies to Questions Nos. 151 and 152 asked by him.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

153. To ask His Honour the Chief Commissioner, Eastern Provinces :—

Whether His Honour will not consider the advisability of removing the sign post leading to the African Hospital at Enugu and marked " Native Hospital Road " ?

Answer—

His Honour the Chief Commissioner, Eastern Provinces :

The addition to, or alteration in, the names of streets in the Enugu Township is a matter for recommendation by the Township Advisory Board. No such recommendation in respect of the road to which the Honourable Member refers has yet been made.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.) :

163. (a) As it is the avowed policy of Government not to constitute any part of its organisation into a commercial institution in peace time, will the Honourable the Chief Secretary to the

Government make a statement to show whether Government is contemplating selling to African enterprise such organisations as the piggery at Samaru and Cattle at Shika which were owned and run commercially by Government during the War?

(b) Are there any other enterprises—war time measures—which Government might sell to African enterprise?

(c) If so what are they?

Answer—

The Hon. the Chief Secretary to the Government :

(a) For some years before the war cattle breeding experiments were carried out at Shika Stock Farm, not for commercial purposes but to improve the breeding of cattle and it is proposed to continue and to extend these experiments. A piggery was started at Samaru in the interests of wartime food production; a large number of pigs kept there during the war have now been disposed of and such as remain will be kept for breeding purposes to distribute to local pig breeders in order to improve the strain. It is not therefore Government's intention to dispose of these centres.

(b) and (c) Yes, Sir. The Rice Mills operated by the Agricultural Department at Badeggi and Baro; the Dairy Product Factory operated by the Veterinary Department and the Lagos Dairy. Once these schemes have passed the experimental stage it is proposed to hand them over to the Department of Commerce and Industries, who will operate them on a commercial basis, and, if successful, Government may consider their eventual disposal to African enterprise.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

168. To ask the Honourable the Chief Secretary to the Government:—

(i) Whether he is satisfied that the only necessary qualification, skill and experience required for the post of Engineers in the Posts and Telegraphs Department are London Matriculation and Military Service, posts which carry emoluments of £500 per annum?

(ii) How many Europeans are at present holding the posts of Engineers in the Posts and Telegraphs? What are their qualifications and experience?

Answer—

The Hon. the Chief Secretary to the Government :

(i) No. Military service *per se* and matriculation at London University are not engineering qualifications, skill or experience.

(ii) There are twenty-two Europeans holding the various Engineer posts in the Department. They may be classified as follows:—

9 Have university degrees in engineering, are corporate members of the Institution of Electrical Engineers and have from 15 to 24 years experience of telecommunication engineering in England and Africa.

4 Have the same qualifications and from 7 to 10 years similar experience.

- 1 Is a corporate member of the Institution of Electrical Engineers and has 30 years experience.
- 1 Holds the Higher National Certificate in Electrical Engineering and has 15 years experience in civil and Army telecommunication.
- 3 Have from 20 to 28 years experience.
- 4 Have from 7 to 10 years specialised experience of the new telecommunication plant on order for the Department, which they have gained in the R.A.F. or Army Signals or the British Post Office.

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22
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The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

174. To ask the Honourable the Director of Public Works:—

(a) What is the average age-limit of Government Temporary Quarters for Clerks?

(b) Is twenty-two years not more than enough for Government Temporary Quarters at Bauchi?

(c) Having regard to the unwelcomed and uninvited night visitors by snakes, scorpions and hyenas in Bauchi, will the Director give a guarantee that suitable and permanent buildings will be erected within the next six months; if so, how many such buildings will be built?

Answer—

The Hon. the Director of Public Works :

(a) The average age limit is about twenty-five years.

(b) Of the temporary quarters for clerks at Bauchi the oldest is eighteen years old: the average age of these quarters is ten years.

(c) No, Sir. All quarters at Bauchi, permanent or otherwise, are liable to be visited by scorpions and snakes. Hyenas are not known to have visited quarters.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

175. To ask the Honourable the Director of Public Works:—

(a) Is the construction and maintenance of Damaturu-Yola Road a Government concern or that of the Native Administration?

(b) How many labourers, headmen, supervisors are employed in the road making, and what would be the average daily wage of each?

(c) How much does the European Foreman earn, and what are his hours of duty?

Answer—

The Hon. the Director of Public Works :

(a) The original construction was carried out by the Native Administration.

The Damaturu-Biu section is maintained by the Native Administration with a 50 per cent grant from Government. The Biu-Yola section is maintained by the Native Administrations on behalf of Government which reimburses the whole cost of maintenance. The improvement of the Yola-Biu section is being carried out under the Development Programme.

(b) Work is being carried out by the Native Administration on behalf of Government. There is no record with this Department of the numbers employed. Rates of pay are in accordance with those laid down by the Provincial Wages Board.

(c) There is no European Foreman employed on this road.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

187. To ask the Honourable the Chief Secretary to the Government:—

In view of statements made and opinions expressed both at public meetings and in the Press on the question of Municipal Reform for Calabar?

(a) Is it the policy of Government to grant municipal reform under the Township Ordinance if the people so desire it? or,

(b) Has Government decided on the pattern which must be accepted if the people are to have any reform at all?

Answer—

The Hon. the Chief Secretary to the Government:

(a) The question of the future administration of Calabar Township is under consideration but the stage has not yet been reached when a forecast as to its form can be made.

(b) No, Sir.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

188. To ask the Honourable the Chief Secretary to the Government whether it is a fact that the Public Relations Department will no longer be responsible for the salaries of the staff of the Calabar Public Library after the present year and, if so, what arrangements are being made to continue the services of the staff of the Library which have been of very great use to the rising generation of the community?

Answer—

The Hon. the Chief Secretary to the Government:

The financial assistance to reading rooms at present granted by Government through the P.R.O. will cease on the 31st March, 1947, after which date the native administrations will become responsible for the maintenance of all reading rooms.

An exception is intended in the case of the Calabar Public Library and it is proposed to make the same contribution from public funds in 1947-48 as was made in 1946-47.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

189. To ask the Honourable the Chief Secretary to the Government:—

(a) Apart from police intervention, to what extent has the co-operation of the chiefs, clan councils and the Ibibio Union been sought in the matter of stamping out the Human Leopard Society menace in Ibibio land?

(b) What reasons have official investigations disclosed as being responsible for the recurrence of the atrocities on a larger scale in recent times?

(c) For statistics of number of cases in the Abak and Opobo districts, of deaths, persons charged, convicted and acquitted, cases awaiting trial and/or under investigation and completed?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Co-operation has been constantly sought from Chiefs and Clan Councils. The assistance of the Ibibio Union has not been sought since there is little help the Union could give, but Government would be glad to consider any proposals which the Union may wish to put forward.

(b) The low culture of the local inhabitants, their belief in charms and fetishes and their disregard for human life combined with a severe shortage of Administrative Staff in recent years.

(c) The statistics at the 30th September, 1946, were:—

Police Investigations have taken cognizance of 137
 "leopard type" deaths. Of these
 43 are probable leopard murders.
 94 are possible leopard murders.
 19 cases have been heard.
 25 persons have been convicted
 21 persons have been acquitted.
 22 cases involving 33 persons have been completed and
 are now awaiting trial.
 13 cases involving 32 persons are awaiting preliminary
 investigation.
 12 cases are under investigation.
 50 cases have been closed for lack of evidence.
 18 persons have been detained under section 4 (1) of the
 Peace Preservation Ordinance, and of these
 1 person has died in custody.

The Hon. E. W. Cannell:

207. To ask the Honourable the Chief Secretary to the Government:—

(a) What progress has been made in collections of "Back Duty" referred to in His Excellency's speech to the Legislative Council on 18th March, 1946?

(b) Will Government consider suspending the operation of the increased rates of Income Tax which were imposed by the "Ordinance to amend the Income Tax Ordinance, 1943" at the

March, 1946 Session of the Legislative Council until entirely adequate measures have been taken to prevent tax evasion by unscrupulous persons?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Actual collections during 1945-46 amounted to £68,775 6s 10d. In the current year, £12,364 11s 3d has been collected up to the 19th of October.

(b) No, Sir.

Supplementary Question—

The Hon. E. W. Cannell :

As collections of Back Duty during the past financial year amounted to some £69,000 only, to ask the Honourable the Financial Secretary to explain the serious discrepancy between the following figures :—

- (a) Estimated surplus of revenue over expenditure for the financial year ended 31st March, 1946, which, at the March 1946 session of this House, at which the Income Tax Amendment Bill was passed by an official majority, was given as £600,000.
- (b) The actual excess of revenue over expenditure for the financial year ended 31st March, 1946, which, was £2,507,652 0s 3d, namely, almost £2,000,000 more than the estimated figure discussed during the debate on the Income Tax Amendment Bill.

Answer—

The Hon. the Financial Secretary :

I do not think the Honourable Member has got his facts quite correct. During the debate on the Income Tax Bill the figure that was given to the Select Committee in the Budget Session was £1,250,000. The £600,000 referred to an earlier estimate given to Finance Committee, but I think the Honourable Member will find that in the estimates as printed the surplus for last year is shown at roughly £1.25 million. The following figures reflect the difference :—

	<i>Revised</i>	<i>Actual</i>	<i>Difference</i>
	£	£	£
Revenue ...	12,800,000	13,400,000	600,000
Expenditure ...	11,600,000	10,700,000	900,000
	<u>£1,200,000</u>	<u>£2,700,000</u>	<u>£1,500,000</u>

The fact is that this is due almost entirely to the delays which did occur last year, and in previous years during the war, in the receipt of the Crown Agents Accounts from England which makes close estimation difficult. In fact in March when this Council was sitting we only had the collated accounts up to November and Heads of Departments had to endeavour to estimate what indents

would be received during the final four months of the year. I think the Honourable Member will appreciate the difficulties of estimation in these circumstances. With more expedition in the submission of these overseas accounts, and slow but steady improvement in the staff position of the Accountant-General's Office and the re-organisation of that office, which my colleague is effecting with success, I hope before the end of this year we shall return to normality and be able to achieve closer approximation of the budget position not only in March but throughout the year.

The Member for the Egba Division (The Rev. and Honourable Canon S. A. Delumo):

211. To ask the Honourable the Chief Secretary to the Government:—

Whether, having regard to the prevalent complaints about lack of prospects of promotion in the Posts and Telegraphs Department, Government will consider favourably the grant to deserving members of the Department of the opportunity of transfer on promotion to other Departments instead of stagnating on their present grades?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir. In the majority of posts in the Posts and Telegraphs Department the training and work are of highly specialised nature and transfer to or from the Department is undesirable, save in exceptional cases. The Postmaster-General is aware of the low ratio of senior to junior posts in certain branches of his Department as compared with some other Departments and the position is under review in relation to the draft Estimates 1947-48.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

215. To ask His Honour the Chief Commissioner, Eastern Provinces:—

When will Government accord Ikot Ekpene the status of a Second Class Township with all its attendant amenities or privileges (adequate water supply, etc.) and responsibilities?

Answer—

His Honour the Chief Commissioner, Eastern Provinces:

No change in status of Ikot Ekpene is at present contemplated.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

216. To ask the Honourable the Chief Secretary to the Government:—

Will Government contemplate the advisability of allowing African Civil Servants in the service of the Nigerian Government the option of voluntary retirement after 25 or more years service?

Answer—

The Hon. the Chief Secretary to the Government:

The question of a reduction in the prescribed minimum age of retirement of Civil Servants has been considered by the Harragin Commission whose report is awaited.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

217. To ask the Honourable the Chief Secretary to the Government:—

What steps has Government taken to ensure that African Officials of technical ability who have served in the War from 1939 to 1945 with certificates or testimonials of good conduct and efficiency are encouraged by way of promotions and higher appointments?

Answer—

The Hon. the Chief Secretary to the Government:

The war record of African Officials is given due consideration in connection with promotion and higher appointments, which continue to depend upon qualifications, experience and merit.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

220. To ask the Honourable the Chief Secretary to the Government:—

(a) If African officials in Active Service, whose salaries were being paid partially by civil Government and partially by the Army were paying Income Tax in respect of the portion of their salaries paid by the Civil Government?

(b) If so will Government explain why they have not yet been paid COLA as those of their colleagues who remained wholly in civil employment during hostilities in view of the fact that all and their respective dependants experienced the rise in cost of living?

(c) When are such African Officials going to be paid their arrears of COLA up to the time of their respective demobilisation?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir.

(b) The amount of Cost of Living Allowance due to enlisted African officials is claimed quarterly from Government by the Command Paymaster. Claims up to June quarter 1946 have been passed and, it is assumed, paid by the Command Paymaster.

(c) It is assumed that arrears of Cost of Living Allowance up to the date of demobilisation will be included in the claim of the Command Paymaster for September quarter, 1946.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

222. To ask the Honourable the Chief Secretary to the Government:—

Will Government, taking into consideration the period of strain and stress, count every year of Active Service by African Civil Servants as two for the purpose of reckoning pensionable years of service as is done for Europeans of the Royal West African Frontier Force?

Answer—

The Hon. the Chief Secretary to the Government:

No, Sir. Europeans of the Royal West African Frontier Force do not count periods of active service as double for the purposes of computation of their Nigerian pensions.

The First Lagos Member (The Hon. Ernest Ikoli):

226. To ask the Honourable the Chief Secretary to the Government whether he could submit a statement showing:—

(a) The total annual cost to the Public Treasury of the Cost of Living Allowance paid to Government employees including Railway employees based on the Tudor Davies Commission's award.

(b) The total amount already disbursed to-date in payment of arrears of "Cola" and how much is still due to be paid?

(c) The total cash loss to Government and Railway resulting from the strike in June 1945 of Government and Railway employees.

(d) The total amount paid by Government in respect of the temporary emergency personnel both military and civilian in the maintenance of essential services during the strike.

Answer—

The Hon. the Chief Secretary to the Government:

(a) Approximately £2,500,000.

(b) Arrears disbursed to date approximate £250,000.
Arrears still due to be paid, approximate £225,000.

(c) Cannot be assessed.

(d) About £30,000 was expended on Strike Measures. It is not possible to say how much of this was in respect of personnel.

The First Lagos Member (The Hon. Ernest Ikoli):

227. To ask the Honourable the Chief Secretary to the Government whether he could supply figures showing a comparison between the amounts to be paid in "Cola" to which Government is already now committed and what would have been due to be paid if Government had acceded to the workers' demands in May 1945?

Answer—

The Hon. the Chief Secretary to the Government:

Payment of Cost of Living Allowance at the present rates represents an annual cost to public funds, excluding the Railway, of roughly £2,000,000. It is not possible to state what the cost of meeting the workers' demands would have been.

The Third Lagos Member (Dr. the Hon. Ibiyinka Olorun-Nimbe):

238. To ask the Honourable the Director of Public Works:—

(a) How is the Zaria-Gusau-Sokoto road maintained?

(b) Are there any provisions for the maintenance of this road for the years 1943-44, 1944-45 and 1945-46?

(c) If the answer is in the affirmative will the Honourable Director please give details of the expenses by the Central Government and/or Native Administrations during each of the above-mentioned periods?

(d) Is it a fact that since 1943, large quantities of laterite have been collected and not used on the road?

(e) If not, what was the reason?

Answer—

The Hon. the Director of Public Works :

(a) The Zaria-Sokoto Road is maintained by Native Administrations on behalf of Government and under the supervision of Public Works Department staff.

(b) Yes, Sir.

(c) Expenditure by Government was :—

	£
1943-4 ...	6,243
1944-5 ...	6,360
1945-6 ...	7,780

(d) and (e) Large quantities of laterite are collected annually and used on the road. Occasionally it happens that some of the material collected proves unsuitable for use and this has accumulated in the course of years, but the material is gradually being used up on the verges of the road.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

239. To ask the Honourable the Director of Medical Services :—

(i) What is responsible for the resignation of qualified dispensers in the Medical Department of Nigeria?

(ii) Would the Government please institute a Commission of Enquiry at an early date as the position is becoming more and more grave?

(iii) How many dispensers have left the Service within the past two years and why?

Answer—

The Hon. the Chief Secretary to the Government :

(i) During the past two years seven Dispensers have resigned from Government Service, one on account of ill-health, five to pursue studies in the United Kingdom and one for reasons not specified.

(ii) No, Sir.

(iii) Seven	— resigned.
Two	— dismissed.
One	— removed for inefficiency.
Eleven	— invalided.
One	— died.

The Member for the Ijebu Division (The Hon. T. A. Odutola) :

240. To ask the Honourable the Chief Secretary to the Government :—

How often in any one year is the Telegraph Engineer expected to pay inspection visits to Ijebu Province, and how many times have such visits been paid during current year?

Answer—

The Hon. the Chief Secretary to the Government :

The number of visits by the Telegraph Engineer to the Ijebu Province is not prescribed. Inspections are made as and when necessary. The Telegraph Engineer has visited Ijebu Province once during the current year.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

241. To ask the Honourable the Chief Secretary to the Government:—

(a) Is Government aware of the dissatisfaction felt by subscribers with the Telephone service in Ijebu Ode owing to its irregularities and frequent failure? If so,

(b) What arrangements are being, or are proposed to be, made to remedy this unsatisfactory situation?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir.

(b) Additional operating and supervisory staff are being recruited and a new switchboard is available for installation in the new Post Office which is being built at Ijebu Ode. Technical alterations will be carried out to improve the trunk service between Ijebu Ode and Lagos.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

244. To ask the Honourable the Chief Secretary to the Government:—

(a) How many applications for private installation of telephone facilities were received from intending subscribers in the Ijebu Province during 1944, 1945 and up to 30th June 1946?

(b) How many of these applications had been complied with, and how much longer will circumstances delay the granting of applications not yet granted?

Answer—

The Hon. the Chief Secretary to the Government:

(a) 15 in 1944, 3 in 1945 and 4 up to 30th June, 1946.

(b) Four of the applicants have been connected and fifteen more will be connected within three months of completion of the Post Office building now under construction.

The First Lagos Member (The Hon. Ernest Ikoli):

249. To ask the Honourable the Chief Secretary to the Government:—

Now that it is over a year since the end of the war, when is it proposed to clear the King George V Memorial Park of the structures which so disfigure the area?

Answer—

The Hon. the Chief Secretary to the Government:

The King George V Memorial Park will be cleared immediately the Military Authorities vacate the structures.

The First Lagos Member (The Hon. Ernest Ikoli):

253. To ask the Honourable the Chief Secretary to the Government:—

(a) The total number of European Welfare Officers now employed on the welfare staff?

(b) Their rate of pay?

(c) Educational qualifications of each and the kind of specialised training each received prior to being appointed?

(d) How many Africans have been trained in England in welfare work under Government Scholarship Scheme, and how many of these are now employed in the Welfare Department and what is their rank?

(e) What are their educational qualifications as compared with their European colleagues?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Six.

	£
(b) (i) Colony Welfare Officer	690
(ii) Port Welfare Officer	620
(iii) Social Welfare Officer (Calabar)	472
(iv) Social Welfare Officer (Probation)	525
(v) Social Welfare Officer (General)	525
(vi) Lady Social Welfare Officer	500.

(c) (1) *Education.*—Absent on leave. Details not available.

Training.—Several years Housemastership at Borstal. Two years Assistant Manager of Boys' Clubs. Courses in Psychology, Youth work, etc.

(2) *Education.*—Public School and University. Social Science Bursary.

Training.—Eight years Boys' Club Leadership. Five years Warden Sailor's Home in Bermuda. Voluntary Probation Officer Liverpool. Secretary, Northern Committee Waifs and Strays (Home visit Training) Various Seamen's work at Caracas and Venezuela, Naval Reporting Officer. Knowledge of French, German, Spanish. Apprenticeship served with Pacific Steam Navigation Company.

(3) *Education.*—Absent on leave. Details not available.

Training.—Salvation Army International Training College. Passed out as Salvation Army Officer. Missionary work in Eastern Provinces for several years.

(4) *Education.*—Secondary School and Social Science Degree. Colonial Social Welfare Course.

Training.—Four months Home Office special Training Course for Probation Service. London Courts, Police, Adult and Juvenile and Central

Criminal Court. Appointed to Surrey Probation Service, Sutton, Epsom and Wimbledon Courts.

- (5) *Education*.—Public School and University (Honours degree History) Course from National Institute Industrial Psychology. Colonial and Social Welfare Course.

Training.—Fifteen years Social Welfare work in various capacities in London. Organiser of Training Courses for Youth Leadership. Appointed Justice of Peace.

- (6) *Education*.—High School (Public) School Certificate with Honours. University Higher Froebel Certificate. First Class Social Science Diploma.

Training.—Seven years as Probation Officer. Trainer under Probation Officers Training Board of Women rural workers.

(d) Six have been trained in England and all are now employed in welfare work in the rank of Assistant Social Welfare Officer (three in Grade II and three "in training").

- (e) (1) *Educational Qualifications*.
Form IV Waddell, Calabar. Diploma of Social Science and Administration London School of Economics.
- (2) School Certificate, Certificate of Social Science and Administration London School of Economics.
- (3) Yaba Higher College. Science degree. Social Science Diploma, London School of Economics.
- (4) Senior Teachers' Certificate. Diploma Social Science London School of Economics.
- (5) Class V Middle. Failed Social Science Course, London School of Economics.
- (6) Higher Elementary Teacher's Certificate. Failed Social Science Course, London School of Economics.

Supplementary Question—

The First Lagos Member (The Hon. Ernest Ikoli):

Arising out of the reply to (c) am I to understand that because an Officer is away on leave, Government is unable to supply information from records at its disposal as regards the educational qualifications of such Officer. Is it not possible for such records to be obtained whether he is in this country or not?

Answer—

The Hon. the Chief Secretary to the Government:

We should have to have notice of this question, but I should be glad to inform the Honourable Member of the reply to it after this Meeting.

BILL**(Second Reading)****THE MOTOR TRANSPORT LICENSING ORDINANCE, 1946****The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):**

Your Excellency, we had a short committee meeting in connection with this Bill yesterday in the Office of the Honourable the Chief Secretary to the Government and we propose, Sir, that the second reading of this Bill be deferred for the December Session, and if that is accepted by Government it will obviate the necessity for a debate this morning on this Bill. Otherwise, we must continue the debate.

His Excellency:

I think that if Honourable Members will agree, it would be better for them to ventilate their views this morning, and it would then be possible to bring out the advantages or disadvantages of the Bill.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Your Excellency, I would like to make a few observations on the principles which this Bill seeks to enunciate. The entire Motor Transport owners are completely confused and upset. They feel that this Bill is most unnecessary as they have suffered much from the operation of motor transport control under the Defence Regulations during the war, and some of them have been completely ruined. They would have thought that with the cessation of hostilities, all controls would automatically disappear and the industry return to its pre-war normal conditions. The very mention of transport control jars very much with them, Sir, and they are led thereby to believe that this Bill is designed to perpetuate the objectionable war time conditions, from which a great many of the people suffered, and are just now emerging. The Chief Secretary has endeavoured to explain away the intricate implications of this Bill, and I am in sympathy with all his sincere efforts.

I think the explanation should be made to reach the general public, and the motor transport owners, it may be they will re-act favourably. Yet certain points are still to be clarified. In the first place, it concerns us very much to know what routes are to come under the category of controlled routes, and whether all the controlled routes are going to be controlled at one and the same time, or whether they are gradually to come under control. We want to know the difference between controlled routes, and routes which are not controlled, and the advantages one type of routes has over the other. The people hope, Sir, that the membership of the proposed Transport Licensing Board, will recognise the important fact of adequate representation of all parts of the country, North, South, East and West. It was expected also that there would be an African majority on this Board, if this Bill really seeks to protect the industry for the welfare of the Africans, and also, whether or

not the General Manager of the Railway is a member of this Board, the motor transport interests should be adequately represented on the Central Board, as well as the District Boards. The public would like to know also whether buses and taxis carrying passengers are commercial vehicles under the terms of this Bill? And if not, why? And if they are so regarded are the routes within the township also to be controlled?

Sub-section (6) of main section 6 requires some explanation.

It appears that the Chairman, Members and Secretary of the Board are going to be paid salaries, apart from their respective salaries as officials of the Nigerian Government. Section 7 also wants some clarification to justify how in the performance of their duties as officers and servants of the Board they should not be held personally responsible for acts of commission or omission on their part. Further, Sir, it will be profitable to know whether the Board could refuse motor transport owner licence to operate on a particular route without directing him to another route, and what guarantee is there that the route suggested by the Board has the same inducement as the original choice of the motor transport proprietor. Section 23 says that the Board can order a transport owner to increase or reduce the number of his motor vehicles. If the small transport owner is suddenly called upon to increase the number of his vehicles and he cannot, what then? Will he be removed from the industry? Similarly the big businessman will suffer depletion of his business if he is all of a sudden asked to reduce the number of his motor vehicles.

Under Objects and Reasons I beg to suggest a corollary amendment to Section (1). It is stated:

“(1) ensuring that the number of vehicles operating on any route or in any area are not in excess of the reasonable requirements of traffic having regard to other facilities;”

I should like this corollary to be added:

“(1) ensuring that the number of vehicles operating on any route or in any area are not below the reasonable requirements of traffic having regard to other facilities;”

Generally, Sir, I fear that this Bill will mean a multiplicity of departments, and the consequent duplication of duties. This leads to a further fear of the expenditure of the public revenue rather extravagantly at a time when every penny of the tax-payers of Nigeria should be invested for the maximum interests of the public. Opinion is widely current, Sir, that this Bill is designed in order to avoid motor transport competing with the railway. The railway before the war was not a paying concern, but during the war years, owing to petrol restrictions and lack of motor vehicles, the railway prospered, running in certain cases, at 100 per cent increase of their fares. That this Bill seeks to maintain that prosperity at the highest tempo is the conviction of the public and the motor transport

owners. People are under the impression that if now the railway reduces its fares to pre-war normal conditions it will likely fail and that this Bill is introduced to impose conditions which will give the railway a chance. I hope this is not correct, and that the implication is unfounded. The Honourable the Chief Secretary and the Honourable the Director of Public Works did their best to refute this. I feel that if the people were satisfied on this point, half the battle is won. Personally, I feel, that the railway, the property of the Nigerian public, should be encouraged to thrive. It could always be run as a commercial proposition when the fares could be reasonably reduced to attract extensive patronage. Now, Sir, this Bill, if passed as it is, will hard hit the small business man. He will be unable to set up garages, maintain efficient mechanics and workshops as required; yet it is he that this Bill should protect, encourage and develop.

The transport owners of African origin stated before the Honourable the Chief Secretary to the Government and the Honourable the Director of Public Works that during the war they had no chance whatsoever to compete against foreign transport enterprise operating here in the country. For instance they wanted to purchase thirty lorries, but were only permitted to buy one, whereas the foreign enterprise, particularly, Asiatics were allowed to buy upwards of twenty lorries. They are anxious to know whether this Bill is going to perpetuate such a position or abolish it. In this connection it behoves Government to state clearly how they will obviate that difficulty, and how the small man will be protected. If no guarantee is given, Sir, they prefer to carry on on their own operating on any route and withdrawing from a route that does not pay owing to excessive facilities.

I am in entire agreement with the provisions in the Bill to control fares and freights. In his address the Director of Public Works mentioned a fact, which everybody in Nigeria painfully realises, namely, the shortage of transport facilities. He said, "At the present time transport facilities are woefully short."

He is correct, Sir, but that I think only serves to show that this Bill is premature, because the Control is to be exercised where there is congestion or excess of facilities on any controlled route. How can there be excess of facilities when we are already "woefully short." If there has ever been a time in this country when transport should go unhampered by control and unfettered by legislations it is now, that is immediately after the war, when Nigeria is experiencing a terrific shortage of transport facilities, when they are anxious to bid goodbye to control imposed by war conditions under the Defence Regulations, and when Nigeria is contemplating and actually footing gigantic and elaborate developmental schemes particularly road communications as suggested and envisaged by the Ten Year Development Plan,

Your Excellency, let this matter be reconsidered, and the opinion of the motor transport owners be respected. I suggest therefore that the second reading of this Bill be deferred for the December meeting of this Council.

The First Lagos Member (The Hon. Ernest Ikoli):

Your Excellency. I mentioned to the Honourable the Director of Public Works and the Honourable the Attorney-General that I thought, having known the very strong objection which the motor transport industry feels towards this Bill, that Government would reconsider the whole position but they said "No".

We were looking forward to the time when control of all kinds would be removed and we are tolerating the existing control just because we feel that the conditions created by the war have not been cleared up yet but were hoping that as soon as the position was sufficiently satisfactory all controls, including motor transport control, would go. The present Bill has removed any such hopes; on the contrary it is evident that it is the intention of Government to perpetuate control. Now we ask ourselves if motor transport control is to continue what about the numerous other war-time controls, are they also to continue?

I have been told that the object of the Bill principally is to protect the small man. Our experience during the war years and since control has been operating is that it is the poor small man who has suffered most. A great many motor owners have got their vehicles thrust off the road for nearly six years now and our actual practical experience is that the only result which we have seen from control is that it has enriched the few at the expense of the many and the few, incidentally, would be found to be not amongst the natives of this country.

We appreciate that Government cannot have but the best of intentions in introducing a Bill of this kind. We note from the Director of Public Works' speech in introducing the Bill that it is the intention of the Bill to protect the small man; not only that but to make it impossible for these small men to be swallowed up by bigger business interests.

He based his arguments he said on experiences gathered from other countries and I believe he said something about the necessity of our making use of experience which has been gained elsewhere and not wait to buy it ourselves and, further, that Government had worked out this Bill based on the experience which they have gathered. My reply is that our objection to this Bill is also based on the experience which we have gathered, and these experiences have in many cases been of a bitter kind.

I do not think I need go into detailed criticism of the various clauses of the Bill because I am hoping that Your Excellency will be disposed to defer this measure in order, as I mentioned in the meeting which we had with the Chief Secretary yesterday, to give

us an opportunity of making suggestions and advancing proposals which, if it is the intention to proceed with the Bill at a later date, will at least make it more acceptable to those in whose interests the Bill is put forward.

I strongly support the suggestions by the Honourable Member for Calabar that the Bill should be deferred until December.

The Member for the Ondo Division (The Ven. & Hon. Archdeacon L. A. Lennon, M.B.E.):

Your Excellency, I disagree with any deferment of the Bill. I want to say we do not want the Bill at all and would respectfully ask that the Bill be not deferred but be cancelled. We have had enough of controls. People in this country are becoming more and more suspicious with all these Bills. I think we have enough Bill to carry on with. If roads are made it will give the people a chance to run their transport. If their transport is not paying they will know and it will be a way of training them to be good business men, either to get out or go under.

The intention of the Bill may be good, Sir, but I think the application is rather suspicious, and I know the feelings of the people, and I do not think that all these Bills coming from time to time do any good. They are only making trouble for us. There are so many laws and regulations that I can visualise the time may come when a man will be unable to walk on any by-path in the bush without breaking some regulation or other. I definitely say, Sir, and I would respectfully ask that the Bill be cancelled altogether. We do not want it.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

Your Excellency, in rising to express the feelings and views of my people about this Bill, I should like to mention that the Bill appears to be just a continuation of the many other measures which had in the past been taken to hamper Motor Transport industry in favour of the Railway.

The cat was let out of the bag by the speech of the Honourable the Director of Public Works, who, in introducing the Bill spoke of the Nigerian Railway as a great national asset of the country and therefore deserving to be protected. I agree that in part the Railway is perhaps Nigeria's greatest asset, and therefore in the interest of the public should receive protection. But it must be conceded that such protection should not be at the expense of individual enterprise which is expected to contribute towards the maintenance of the Railway. It is very well known that Railway to-day is not capable of hauling the amount of traffic that comes in its way, and there is every reason to believe that with the post-war development it will be even less in a position to handle the traffic that will in future be available. Is it not in the interest of the Railway and the country that it should be relieved as far as possible of the immense additional traffic that it is not able to cope with?

The remarks in the Honourable the Director of Public Works' speech about the Bill being designed to protect the small man cannot stand serious examination. He said something about the experience gained by the control dictated by war conditions having taught Government a lot of lessons which could usefully be applied under peace time conditions. Sir, it is very surprising that in spite of the peoples' repeated dissatisfaction with the prevailing transport restrictions, which we were all made to believe when it was to be introduced would last for the duration of the war only, Government should appear to take delight in aggravating their displeasure by introducing this Bill which has evoked caustic comments all over the country. Sir, the Director of Public Works' experience I am afraid is different from that of those directly engaged in the Motor Transport industry who think that the best thing that could happen to this country now is to remove all Motor Transport Control as early as possible. Our experience too is just the opposite, because most of the paying motor traffic business in this country to-day is in the hand of non-Africans, and although there are many African Transport interests who are able to compete favourably with the non-African interests they are simply not given the chance.

Now and again, Sir, Government din it in our ears that unwarranted racial feeling as between the blacks and the whites in this country is attributable to press propaganda and misrepresentations. Be that it may, it is certainly not the whole truth. If Your Excellency were to find time and sound opinion of people who are even considered to be still backward and probably living in the remote areas of this country, Your Excellency will be appalled by the evidence of bitterness and discontent—more than anything ever published in the news papers—which can be traced to the effects of the operations of Bills such as the one now before the House, and of which we have many in our Statute Book. Most of these Bills, Sir, are believed by our people to be deliberately designed to keep them down and so make the attainment of their economic emancipation impossible.

There has been much suspicion among our people regarding the Ten-year-development plan, and there has been a great deal of talk as to whom the advantages of the development would go: whether to people in Britain or to our folks in Nigeria. We Unofficial Members of this House have been doing our best to educate the people to the fact that the whole plan is designed for our benefit. But when about £6 million is to be spent in the development of roads and there is a law brought in to restrict the use of such roads, it knocks the bottom off all the efforts which we have been making and merely intensifies the suspicion already existing and make our task of putting over the development plan more difficult. The general feeling about this Bill is that Government is planning to hand the whole Motor Transport industry in this country to big European

Capitalists and keep African enterprise out in the cold. I am not saying that that is the intention of the Bill but that is the general feeling in this country, and if Your Excellency should allow this Bill to become law now without giving us the opportunity of discussing it thoroughly with our people, it will only confirm that opinion.

Since we arrived here a few days ago, some sort of amendments have been suggested by some members in one or two informal meetings which we had with the Honourable the Chief Secretary to the Government, but as a Provincial Member whose people's means of transport entirely depend on Road Transport, I cannot take a decision now unless I go back and discuss with my people the amendments now suggested. If Your Excellency would cause this Bill to be withdrawn for the time being and allow us to discuss with our people, it might be possible for me to say something different if at another time the Bill is re-introduced, but at present I have their mandate to oppose the Bill, say that it is not good for them and appeal to Your Excellency for absolute withdrawal.

The Second Lagos Member (The Hon. E. A. Akerele):

Your Excellency. I do not know why this Bill is to be read a second time at all in this session. I cannot see the necessity for it because we already have the Defence Regulations and the Control of Motor Transport in those Regulations which are still in force. We have not been told that a Bill is going to be passed to-day cancelling them. I do not see the urgency at all and I am asking that this Bill—if it is to be discussed at all—should be discussed at the next session of this House. So many people have spoken and said that they have had meetings with this man or that. This may be right but a meeting was had a few days ago when actually this Bill was published and handed everyone for discussion. That is the only time when anyone came forward to say anything.

I have said very often in this House that the Public Relations Office is there to educate the people. A lot of things have been put in the Press about this Bill but I can find nothing coming from the Public Relations Office up to date. A lot of things might have been cleared up by that Department. Now we have no time to go back and tell the people what has been put at our disposal during these two days' meetings. Personally, Sir,—I am voicing my own opinions—I do not think that this Bill is necessary at all. Why should we have this control if before the war there was nothing like control. The traffic was going on; the small man, who you say you are wanting to protect, does not complain he has had his full share. When the Defence Regulations were passed this small man was put out of business. The Defence Regulations were made as war emergency and now that the war is over and everyone is looking

forward to the good old happy days again we are to be faced (because the Defence Regulations as a war-time measure must go) with another Bill to perpetuate the Defence Regulations.

I am saying, Sir, that I am not in agreement with the speakers who said that this Bill should be deferred. It is not wanted. There is no necessity for it at all and it should not be passed at all.

The Commercial Member for Port Harcourt (The Hon. W. V. Wootton):

Your Excellency, I think there is quite a good deal of sincere opposition to this Bill and I think one of the reasons is that it is far too complicated for the ordinary transport owner to understand. I do not see for instance why there should be four classes of licences. It is not necessary to have a licence for a man who wants to carry his own goods and another licence to carry somebody else's goods and another for passengers and I think there is a good deal in the Bill which is unnecessary and I would quote from clause 21 (i) which says—

“ The class or classes of goods to be carried ”

What an absurd question to ask anyone with all the 101 articles which he might want to carry. He might miss out the one class of goods for which he obtains a transport contract. There are several things in this Bill, which I think by reference to a Select Committee could be ironed out.

I would also like to mention 21 (b) and there I think that the question of public safety should be far more stringent than it is at the present time. In my view no lorry should have a licence unless it has a road fitness certificate. In the Eastern Provinces quite recently there have been several bad accidents involving a number of deaths, and I think that is because it is not compulsory for him to submit his lorry to any authority for road fitness except when he needs to renew his licence and then it is only a very cursory examination.

I do think that this Bill should be referred to a Select Committee and completely redrafted for the next meeting of Legislative Council.

The Member for the Ibo Division (The Hon. E. N. Egbuna):

Your Excellency, in so far as the provisions of this Bill are designed to promote a healthy state in our present transport conditions, I am in agreement that certain measures ought to be adopted to achieve that purpose. I also feel that under the present Motor Traffic Ordinance it is quite possible for the police to supervise adequately the control of motor transport and that there is no necessity for the type of legislation which this Bill proposes to enact. Much has been said by previous speakers, especially in regard to the effect of this kind of legislation on what I would call the small operator. The small motor owner we all know has suffered throughout the war years and, as long as Defence Regulations continue to

exist, he will continue to suffer. Probably it was right that motor traffic should have been controlled during the war. It was necessary we are told because there was a shortage of such essential needs. There was for instance a great shortage of motor tyres and fuel, and in order to preserve and maintain a good standard it was essential that the Government should be able to control the uses of whatever material was available. That necessity, to my mind, no longer exists, at any rate not to the extent that it might have existed in the past years. It is unfortunate, Sir, that under a legislation like this, one is compelled to make references which may tend to alienate one class of the community from the other, but there is no doubt that as you go all over the country, North, West or East, the only persons who have been able to make anything worth while out of motor transport are certainly not Africans. There is the argument that these privileged people have been able to get all the facilities which were afforded to them because they had an organised system of transport, and because, for instance, they maintained large offices and were in a position to tell the Controller of Motor Transport on any day and at any time how many vehicles they had on the road, how much traffic they were doing and give any other information which was vital for the purpose of maintaining that big office.

Now, Sir, some of us, at any rate, know that when the war started those who were fortunate enough to get the special benefits from the motor transport control department were either not in the trade, or, if they were engaged in that trade, were only small men. Most of them had as few lorries as African transport owners but within a few years as a direct result of the control the numbers of the lorries and vehicles they controlled have gone up by leaps and bounds. All a man needed under that system was to go to the officer in charge, make a requisition, apply for a permit, and if you were fortunate enough to get it all you had to do was to acquire the capital for running such a business, which was not difficult. As a result of this, therefore, after five years of war all the money that there was in transport in this country has gone into the pockets of people who are not members of this community, and whom we feel ought to be generous enough to let us have a little. There is no doubt, Sir, that those who had anything to do with transport control offices know what it is like. There are all sorts of difficulties and restrictions. We expect them during a war, but when there is no war these restrictions are in most cases unnecessary. To turn round to the small man who within the last five years has made the supreme sacrifice, and, out of the little he has been able to acquire, paid his taxes very willingly during the past six years, in most cases in the hope that when things returned to normal they would be able to carry on their trade, and would be able to recoup whatever loss they have suffered. Certainly, Sir, we all have to gain by experience. There is little doubt that a small owner who tries to

run his vehicles without proper organisation, against big owners who have freight and lorries and are more able to organise their business, will find much difficulty unless he improves in his way of business.

There is no doubt that the poor owner who fails to get on in his business will fall by the wayside. What we do disagree with is not the stated intention of this legislation, as it were, but what we know, or certainly suspect, will be the operation of the legislation when it comes into effect. Nobody ever objected to any control of motor traffic during the war. Everyone thought it necessary, and everyone was willing to make a sacrifice, and everyone expected to have a certain percentage of whatever profit will go to the owners, but unfortunately not the Africans, and, no matter what the intention of the Bill is, until they are convinced that it is the intention of the Government to operate this measure in such a way that they will not be excluded from doing business in the normal way on all the big routes or important routes and that this privilege will not be given to only the favoured section of the country, which has been the case previously, they will continue to oppose it.

No doubt most people will agree it is necessary to assist the Railway, and this legislation to a certain extent is designed to remove uneconomic competition, which I suppose could only mean competition with the Railway. For myself, Sir, I see no reason why this should be the case. The Railways could be run profitably, if properly organised. If for instance the Railways think that their expenditure is too high, then there is no reason why the staff should not be reduced, or proper measures taken to ensure that it will be run at a profit. Why should this Government take measures to protect the Railways which if run properly, by reduction of fares, and endeavouring to meet increased facilities, there is no doubt many people will take a better view of it. The Railways only cover a portion of Nigeria. There are many areas not served by Railways. What is the effect of this legislation on those areas? In the East, principally, Sir, we are served generally by motor transport. We depend for our movements on lorries; I shall be told I suppose that taking, for instance, the journey from Lagos to Onitsha the quickest way is by train to Enugu and then by road to Onitsha. I think the quickest way is by road and in any case there is no reason why a person should not travel by whichever method he prefers.

Again, Sir, what is the necessity for restricting the operation of this Bill to only specified roads. In regard to that, Sir, we have one view, which may be very pessimistic. You will probably say, Sir, that those roads which will be restricted, are those roads from which lorry owners will expect to make any money. The big roads like Lagos-Ibadan and Lagos-Onitsha and Onitsha-Enugu. These are the roads that do matter. If under this control our people are restricted from using those roads, or plying their lorries when they want, then they will be violently opposed to the measure.

It is no answer that under certain conditions they will be allowed to travel on by-roads into little villages to collect produce. Surely any transport owner knows that he does not make anything by collecting produce from the villages. Our experience in the past has been that it is much better to ply on the main roads, and as long as there is control, we feel that it is the intention of Government to throw the African out of business, and we do not feel that it will be safe to support any legislation which seeks to control African enterprise. It has been suggested by members that it is necessary for us to go back and tell our people our views, and the views of Government in regard to this matter. Speaking for myself I say I am not in a position to convince them by any arguments. I feel that this Bill should not be deferred. I am strongly in favour of requesting Government to withdraw the Bill.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer) :

Your Excellency, I was fortunate enough to be one of those who met with the Honourable the Chief Secretary and the Honourable the Director of Public Works and so was able to express my views on the Motor Transport Control Bill, with particular reference to the Eastern Provinces. Several of the motor transport owners were thrust out of business, mainly due to the fact of petrol shortage and tyre difficulties, and they were unable to make their usual runs. For the past six years they have been patiently waiting for the time when peace will be restored that they will be able, once more, to get on their feet and make up for lost time.

It was my intention when I came to Council this time to ask that all transport control should be removed. We have quite a lot for the Police manpower scattered all over the country to do, particularly in the Abak area where, as the Chief Commissioner, Eastern Provinces, has said, we need as many Police Constables as we can have. But one is very much disappointed travelling between Ikot-Ekpene and Onitsha to find almost half a dozen constables just idly waiting for one or two lorries or private cars to come and to ask several questions and thereby waste time.

Sir, one noticeable thing in this Bill is under the " Objects and Reasons ". Clause 3. " The introduction of this system will be gradual, and to this and clause 2 stipulates that the provisions of the Bill, shall only apply to such roads as are declared by order of the Governor in Council to be controlled roads ". I should like a schedule of the controlled roads to be attached to this Bill so that one will be able to know that such and such a road scheduled in the Bill will be a controlled road, and for the clear and definite information of the general public. This might allay some of the fears of many of the people of this Country that the Bill is particularly designed to give protection to the Nigerian Railway, which we are told is the property of the Nigerian tax payer and a national concern.

I am of the opinion that this Bill should either be referred to a Select Committee to be redrafted or that it be withdrawn entirely from the Council.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

Your Excellency, I find myself in a tantalising position, in other words in a labyrinth. Last Friday I was invited through a telephone call to a meeting at the Public Relations Office and we were there over two hours discussing, or going through, this Bill under the Chairmanship of the Honourable the Director of Public Works. I do not know the result of that meeting. I do not know what we are really coming here to say, because on the one hand some people were for the withdrawal of the Bill altogether and others were of the opinion that the Bill should be recast.

When yesterday, or the day before yesterday, the First Lagos Member through our senior colleague here, asked for postponement of the continuation of the Bill until to-day, I thought I would be able to get something to suggest. I am surprised to hear now that a series of meetings have been held somewhere and even with the Chief Secretary and a good many of us Unofficial Members here are not in the know about what transpired at those meetings until we were here this morning and listened to what Members who were privileged to be at the meetings were able to express, but this morning to my surprise I received this paper which is before me and it is on the strength of that paper I rise to speak at all on this subject. It was sent to me by the Nigerian Motor Transport Union, signed by their Secretary, and dated 29th October—I think a day after this session of Legislative Council began, and with an enclosure that they have forwarded this memorandum or petition through the Honourable the Chief Secretary to the Government to Your Excellency. I am sure it is in your possession.

When I read through what the Nigerian Motor Transport Union suggested there, well, I am in entire sympathy with them and I have come here to commend what they have suggested to the consideration of Your Excellency. They have not said that the Bill should not be considered. If I am right what they have done is to put down one by one the things that were to be considered and recast in the Bill; so, therefore, I cannot see why they should go back on what is now before the meeting and say the Bill should be thrust out altogether. They really expected that the Bill would be passed but they want certain amendments to be made and the suggested amendments were duly considered by them. I hope Your Excellency will give consideration to that point. I have found out since I came here that several Members on this side of the House have not got this letter and memorandum and it is on that strength that I am asking Your Excellency to allow this Bill to be deferred until all Unofficial Members have been supplied with what

the Motor Transport Union itself have suggested for all of us to consider, till the 9th December when we will bring it before you again. I agree with that and I do hope in considering this Bill their desires and their petitions will be taken into consideration. I do say again that I sympathise with what they have placed in my hands.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan) :

Your Excellency, as one of those who appeared before the Chief Secretary yesterday, I rise to say a few words in connection with this Bill before the Council. Nobody as far as I know ever said that the control of motor transport in any shape or form is undesirable for the simple reason that in the year 1934 I was one of those who gave evidence before the Road versus Rail Transport Committee. It was the consensus of opinion at that time that something should be done to protect the Railway and the motor transport in a way that could be satisfactory to both. Later, Your Excellency, I got to know that although I opposed the construction of the road linking Ibadan to Ijebu Igbo, because it was feared such a road would interfere with the Railway, but later it was discovered that the Railway had enough traffic to handle, and consequently the opposition crumbled down.

Your Excellency, I told the Chief Secretary that the motor transport owners in my Province did not object at all to some sort of legislation, but they want me to ask Your Excellency, to allow the motor transport owners in Oyo Province to go through this Bill clause by clause and to offer their criticisms. That is the point, Sir, that I and other Members of the Committee put before the Chief Secretary yesterday, and I must deal with that point now. Here, Sir, I want to say something about what I saw of motor industry. In the year 1926 I had a friend who had £400 to buy a motor lorry. That man was a farmer, and knew nothing about the motor transport industry at all. I told him that as a farmer he should not use his money to buy a lorry because he did not know anything about it. He insisted that I should deposit the money. Consequently I asked one of my friends to deposit the money. He bought a lorry and that was how he spent his money. He spent his £400 and bought the lorry and gave it to somebody else to operate. It was in the hands of that man for about six months and then there was a collision. After this collision the owner of the lorry reported to me that when the lorry was taken to Messrs John Holt the sellers, the price of it was depreciated to something like £200, owing to inexperience of the driver. This goes to show that lots of people in this country are not competent to handle motors, especially in my Province. Now that cocoa prices have gone up you will see hundreds of people saying they want to buy lorries on the hire purchase system, and this hire purchase system has destroyed many people in this country. That is one of the reasons why I say that if this Bill is passed it should be done in a way to protect the

interests of those actually engaged in the industry. As it is drafted at the moment they will not like it. I appeal to you, Sir, to defer the Bill until such time that those who are actually engaged in the industry will go through the Bill clause by clause and offer criticisms, but that the Bill should be thrown out entirely I am in entire disagreement.

The Member for the Egba Division (The Rev. & Hon. Canon S. A. Delumo):

Your Excellency, I have not been present at any meeting before this time, but I am in possession of the papers from the Motor Union, and I think that there is nothing in the Bill which cannot be done by a Select Committee to make it acceptable and to meet the wishes of the Motor Transport Union. There are many things which cannot be understood by the common people, and which they do not want, for instance, the four different classes of licence mentioned in the Bill (a), (b), (c) and (d). One of the important points in their objections is that they are not represented on the Board. I think this is very important. I do not want to say much about the Bill, but I do feel that a Select Committee could manage it and put everything right. I do not think the Bill should be passed without adequate representation of the people most concerned and I do not think there is anything wrong in the Bill which cannot be put aright by a Select Committee

Council adjourned at 12.45 p.m.

Council resumed at 2.45 p.m.

The Mining Member (Lt.-Col. the Hon. H. H. W. Boyes, M.C.):

Your Excellency, I wish to support the motion for the deferment of this Bill to a later date. I do not consider there is any great urgency in the matter and it could quite well wait until the next meeting of this Council. Personally I strongly favour the continuance of control of the motor transport industry for the next two to five years as long as transport is so difficult to obtain, but I feel that when the transport position is very much easier the position might be reviewed. I would ask, Sir, that provision might be made for that in the Bill, either a time for expiry at Your Excellency's decision or Government's assurance be given that the position will be reviewed say in three years' time as to whether continuance is necessary. I feel, Sir, that there is in this country, as well as in England, a feeling of frustration with all the controls and regulations, the continuance of them and the making of new ones. I know so well what we have to put up with in the tin mining industry with all the rules, regulations and obstructions, and can sympathise on that account with the transport owners. The sooner the controls can be got rid of the better but in the present state of transport I fully appreciate that transport must be regulated to some extent. It is, I think, the permanent character of the Bill which is undesirable so far as transport workers are concerned and this, I think, could be alleviated by some assurance from Government.

As regards the Railway I feel very strongly that the Railway must be protected. After all, the Railway was constructed at very large expense many years ago when there was no other means of transport in the country. The people were very glad to have it then and it cannot be abandoned now. It is the people's Railway and the people themselves are virtually the shareholders. Millions of Nigerians are concerned with the revenue of the Railway whereas comparatively few are concerned with the revenue from motor transport. On the other hand I think Government might give an assurance that where a road runs parallel to the Railway and is made a scheduled road that the Railway rates on that section would certainly not be higher, or would be anyhow comparable with what reasonable transport costs would be, so that the public can be protected that way. A lot of people talk about the economic running of the Railway but the rate for that section could be made comparable to motor transport. I quite understand many people thinking that the transport rates will be cheaper than the Railway rates but I have seen a good deal of motor transport in this country and I have noticed that where cheap transport is available it is usually of a very dangerous and uncertain kind. Dangerous to itself and very dangerous to the rest of the public, and I think the control will get over that. I would ask, Sir, that it should be deferred so that the Honourable Members and Transport owners can discuss the matter further.

The Commercial Member for Lagos (The Hon. F. G. Frost):

Your Excellency, the produce from this country is urgently needed at present for the United Kingdom and starving Europe. The efficient evacuation of this produce is being handicapped by lack of adequate motor transport. As long as this shortage of transport exists I feel there must be some control to prevent wastage.

We have at the moment control by emergency regulations and we have a Transport Controller who is virtually a Dictator. Nothing could be simpler than that; nothing could be more efficient than that and it is the ideal arrangement for a case of emergency but I think that once that emergency is passed the control should be removed.

The equipment and condition of motor transport vehicles can be looked after by Police regulation, also the hours, working condition and wages of drivers can be looked after by the Labour Code.

The Bill which is before the Council to-day seeks to perpetuate control of the motor transport industry and I feel that a Bill of this description will be a snowball. It will gather unto itself hundreds of rules, regulations and inspectors which the average small transport owner would be quite unable to cope with. Therefore he will be put at a disadvantage beside large organisations and the very deserving type of enterprise which we are trying to encourage will be stopped.

A few years ago we had some experience of control of roads in South-West Nigeria. It was a very bad business altogether. It gave rise to a lot of malpractices, engendered a great deal of bitterness and it was a very bad example of control breeding bribery. This type of legislation we know has been a success in the United Kingdom and probably other countries but I do not think it fits in with what we want here and I do not think it is either necessary or desirable. The average Nigerian is a very keen trader and he is an individualist. He is very concerned about this Bill. One of the objects is said to be the "elimination of uneconomic competition" and the man in the street rather wonders where this is going to end. He wonders where Government is going to look for "uneconomic competition". He thinks the search might be extended to the professions to farmers, even to shop-keepers and petty traders. I think the Bill is giving a good deal of anxiety.

I do not think there is any need for the Bill at present because emergency regulations do everything that is necessary. In the future when there is a sufficiency of motor transport it may be necessary then to frame legislation on these lines but I feel that at present the Bill should not be proceeded with and I support the request of those who ask for it to be deferred and redrafted.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I have listened with considerable interest to the speeches of the Members on the unofficial side of the House and their criticisms of this Bill, and having heard their speeches I am convinced that there is still very considerable misunderstanding of the Bill and of its objects, and I think I must go over the ground again with a view to removing those misunderstandings. The Emergency Regulations which controlled motor transport, petrol, sale of vehicles and tyres, during the war arose from emergency conditions. They only had one object and that was to restrict consumption and to direct what motor transport there was into the channel that was most valuable in the prosecution of the war. Now the measure now before this House has no such object at all. It is not restrictive in any way. As evidence of that statement I would ask you to consider whether Government wishes to reduce the petrol consumption in this country in normal circumstances. Government derives from the import duty on petrol a very large amount of revenue. It also derives revenue from the import of motor vehicles. Thus it is obviously in the interests of Government that the maximum possible amount of petrol in normal circumstances should be consumed.

Many Members in the course of their speeches have referred to the irksome nature of these war-time controls. I can say, and I can speak with considerable experience, that these controls are just as irksome to Government as to private people and I am quite sure that Government will remove these controls at the earliest possible opportunity and I will give you an instance. During the war

nobody could buy a tyre or an inner tube without going and getting a permit. In the last few weeks the imports of tyres and tubes have greatly increased and supplies once more became free, and immediately supplies became free those restrictive regulations were repealed. Government has exactly the same intention in regard to petrol once there are plenty of supplies. At the present time, as more than one Honourable Member pointed out, the demand for motor transport in this country greatly exceeds the supply and Government has controlled freights and fares under the Defence Regulations. If that control of freights and fares had not been introduced these freights and fares would have rocketed to very high levels. Now under the Bill which is before this House freights and fares will not be continued to be controlled on a maximum level. On the contrary, they will be controlled on a minimum level. In other words, the whole direction of the measure is to ensure that the motor transport owner gets a fair deal.

Now, Sir, I have endeavoured to describe briefly the situation which obtains to-day.

May I take Honourable Members back to the situation which obtained immediately before the war. At that time there were far more lorries in Nigeria than were needed and the result was that motor transport was at a discount. The commercial concerns which made use of motor transport quite naturally obtained their transport at the minimum possible rates and owing to the excess of motor transport available they were able to play off one lorry owner against another and obtain their transport at a rate which could not possibly be economic. Members will probably recollect that before the war you could hire a lorry from Ibadan to Lagos at a rate of 2d per ton mile. Now any Member of this House who knows anything about the running of motor transport knows that 2d a ton mile is not a remunerative rate. At such a rate the whole industry becomes completely unremunerative and in my own personal experience I have seen several enterprising young Africans, who have perhaps got some money from their parents, buy lorries. They are forced, or were forced, before the war, owing to the unremunerative rates they obtained to charge these absurd freights and I have seen young men operating their lorries obtain 2d or 3d a ton mile, which barely goes to pay for the petrol and oil and tyres, and once their lorry is worn out their capital is gone and they are bankrupt. There was another rather regrettable feature of the sale of motor lorries before the war. It was customary for the importing firms to sell such lorries on easy terms. The young African who wished to enter the transport business put down his deposit and undertook to pay so much a month. Owing to the extremely low and uneconomic freights which he received on many occasions he very shortly fell into arrears with his instalments and went to the importing firm and said he could not pay. They then, having the whip hand over him, were in a position to compel him to transport their produce at

wholly uneconomic rates until he had worked off his debt. Having worked off that debt he was left with an old wreck of a lorry which was 'nt worth anything at all and he had lost his capital. Under this Bill that practice will have to cease because it will be laid down by law the minimum rates which any concern hiring transport may pay to a lorry owner.

One Honourable Member referred to the fact that in this country there are, and have been, a number of lorries which are not fit to be on the road at all. Their mechanical condition is deplorable in many cases, and as he rightly pointed out, there have been a large number of accidents involving considerable loss of life. Now how can lorry owners keep their lorries in a reasonable and safe state of repair unless they are enabled to make a reasonable living and to plough back a proportion of their profits into their business? I would suggest, Sir, that one of the reasons why so many lorries are in this condition arises entirely out of the fact that there are not minimum rates prescribed.

Now, Sir, there is no doubt that sooner or later, it may be next year; it may be the year after, that conditions will approximate to what they were before the war. Petrol will become unrationed. Anybody will be able to buy as much petrol as he wants. Lorries will be in the shop windows and there will be no question of getting a permit before you can buy a lorry. It will only be necessary to go into the shop with the necessary amount of cash and hand it across the counter. Therefore it seems to Government that there is a very considerable danger of the experiences in the motor transport industry before the war being repeated after the war, and it is that situation which this Bill is designed to obviate. This legislation is introduced solely for the benefit of the motor transport operator. There is no other object in this Bill whatever. It is the object of this Bill to enable a motor transport industry to be built up on sound and reasonably profitable lines.

More than one Honourable Member in their speeches deplored the fact that the bulk of the motor transport industry in this country was not in African hands. While I would not accept such a statement I would accept that a great deal of the motor transport industry is not in African hands, but I would suggest that the reason why that is so is to be found in the fact that those young Africans who tried to get into the motor transport industry before the war were not able to do so because the remuneration they got was entirely inadequate.

Now it is not surprising that the users of motor transport should oppose this Bill. If this Bill is introduced they will undoubtedly have to pay more for their transport. I believe, however, that that is a short term view and I think that, taking a long view, it is in the interests of the trading concerns in this country to pay more for their motor transport because with the very considerable progress of road development that is now being undertaken new areas will

be opened up for motor transport and provided motor transport concerns are enabled to build themselves up profitably those concerns will play a great part in developing these new areas and the development of these new areas will react to the favour of all persons engaged in trade in this country. I find it difficult, Sir, to understand why some members who no doubt represent the African motor transport industry have opposed this Bill and I sincerely believe that it is because they have not fully understood what this Bill is about, and I am quite convinced that if this Bill were not passed into law it would not be many years before the motor transport owners themselves demanded it.

I can fully understand the great objections that Honourable Members have to the word "control". As I have said before, those objections are echoed by all Government officers, and I think it was a mistake to use the word "control" at all in this Bill, and I am authorised to state that the word "control" will be completely deleted from the Bill wherever it occurs, and there will be substituted for that word, the word "regulate". This may appear a somewhat academic point but the irksome associations of the word "control" do make it very repugnant and I think the sooner we eliminate the word from our Statute Book the better.

Now, Sir, in regard to the regulation of the motor transport industry which will result if this Bill is put on the Statute Book, a study of the Bill will have made it clear to Members that there will be a Central Motor Licensing Board. Now I do not believe that this Central Board will be required to meet very frequently. I do not think it will be called upon to do very much more than to advise the Government in regard to the development of motor transport and the motor transport industry. I should anticipate that the day to day licensing of motor vehicles under this Bill will fall on the District Boards and I should anticipate that the motor transport industry, provided they can put forward suitable representatives, will play a large part on those Boards, and if this proves to be the case it will mean that the regulation of the industry in this country will be done largely by the industry itself. There will be no Controller of Motor Transport; there will be no permits to buy lorries; no permits to buy petrol. There will merely be this Board, or these Boards, which will be democratic in character and which will be filled largely with people who are concerned in the motor transport industry.

Now, Sir, several Honourable Members said that there was no particular object in considering a measure of this kind until after the existing transport control regulations have been repealed. I do not consider that that is a sound proposition. Supposing for the sake of argument, the Control of Motor Transport regulations were repealed tomorrow, and suppose that petrol and lorries became into immediate free supply, we should very shortly get to the stage where we had more motor transport than was needed, with the

consequences that I have already described. It therefore seems only reasonable to be prepared for a contingency beforehand and to have this measure ready so that it can be introduced without some intervening period of chaos which might well happen, but it should not be inferred that because this Bill would be introduced immediately after the repeal of the Transport Control regulations that this Bill replaces those regulations. It does not replace those regulations. Its character is entirely different from the existing war-time control regulations.

Now, Sir, I should like to say that just in case any Honourable Member had thought that the Nigerian Government had had an original idea, that there is nothing original in this Bill. As many Members pointed out, measures of this nature are general in all civilized countries and there is, I understand, on the Gold Coast an Ordinance very similar to that which Honourable Members now have before them.

Now, Sir, a number of Honourable Members have referred to the Nigerian Railway in connection with this Bill. May I say at the outset, or rather may I ask, how many roads in Nigeria compete with the Nigerian Railway? I would suggest that in the great bulk of the roads there is no competition whatsoever with the Nigerian Railway. In other words, anybody who did not know this country who had listened to one or two Honourable Members' speeches might have thought that wherever there was a road in Nigeria there was a branch of the Nigerian Railway running alongside it. As the Honourable Mining Member pointed out the Nigerian Railway is not a foreign institution which has come to this country to exploit its inhabitants. It is, in fact, a great industrial undertaking which is wholly owned by the tax-payers of Nigeria. It is therefore the duty of Government to ensure that the vast amount of capital which has been put into the Nigerian Railway is not frittered away. It is the duty of the Government to protect the tax-payer. It is not protecting the Nigerian Railway. It is the tax-payer who is being protected. However, I do not think, in fact I am quite sure, that there is any question of favouring the Railway at the expense of motor transport.

Honourable Members will have noted that the General Manager of the Railway is a member of the Central Board, but he is in a considerable minority and while he can bring his views to the attention of the Board he will obviously be unable to impose these views on the Board.

I can give Honourable Members an assurance that this Bill is not designed to swell the profits of the Nigerian Railway. It is designed to ensure that all the transport facilities available in this country should be used to the best advantage, and the little I know about the operation of the Nigerian Railway, at the present time at any rate, convinces me that the General Manager would be extremely pleased if there was a great deal more motor transport to relieve his hard pressed rolling stock,

In conclusion, Sir, I should like to repeat that the Government is convinced that this Bill is in the interests of the motor transport industry and in particular of the young African, perhaps an ex-Service man, who wants to enter that industry, and make a reasonable living, but I feel that there is no doubt at all from the speeches which have been made on the unofficial side of the House that the full implications of this Bill are not really fully understood, and that Honourable Members cannot get it out of their minds that Government is taking the opportunity to perpetuate a war-time control. Owing to the fact that there is this misunderstanding, and after the most careful consideration, the Government has formed the conclusion that there will be little harm in deferring the introduction of this Bill for some months in order to give the motor transport industry time to study it and to suggest amendments in the Bill. I am accordingly authorised to state that the Government has decided to withdraw this Bill from the business of this Session of this House. In that case, I hope that Honourable Members will excuse me if I do not deal with the individual amendments of the Bill which they put forward in their speeches. Those amendments can be dealt with at leisure during the next three or four months.

ADJOURNMENT

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I wish to propose that this Council should adjourn until the 9th December.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to second.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Your Excellency, speaking on the termination of this Session I wish to make just a short statement especially as Your Excellency will be absent next Council. Your Excellency, in your obituary, as it were, on the old Constitution and the present Council operating under it, spoke appreciatively about the services which this Council has rendered to the country and thanked it for those services. I respectfully on behalf of the whole of this House beg to reciprocate your good wishes, thanks and congratulations showered upon us. I add, Sir, that if anything was achieved for the good of the people by the old Council during the tenure of your administration, it was in fact due to Your Excellency's potential, expert and dynamic guidance. Your Excellency, we have done our very best according to our light, convictions, and the circumstances in which we found ourselves. No man can do more. I can safely say, Sir, without fearing any contradiction that most of us enjoyed in all our duties the approbation of our consciences, because in the discharge of our several duties we have kept in view the happiness, peace, unity and prosperity of Nigeria. We, the members of the old Constitution will meet again on December 9th in your absence to discharge certain duties and thereafter fade out of the picture.

We therefore say farewell to you, Sir, with respect to those of us who may come again to meet with you in March 1947, and goodbye to you from those of us who may be victimised by circumstances which will make it impossible, for us to re-unite with you in this Council. I say this ungrudgingly, Sir, because we should be happy to give place to other people to come and function under the new Constitution. Yet, Sir, to the new Council we promise wherever we shall be, our support and co-operation and wish it superlative success.

The First Lagos Member (The Hon. Ernest Ikoli):

Your Excellency, since this is the last time you are presiding over this Council under the present Constitution, I think it is fitting, Sir, that those of us on the Unofficial side who have had the privilege of serving in this Assembly in association with your Excellency, and your officers, should have an opportunity of, shall I say, singing our own swan song. We on this side of the House I think can record with some satisfaction that we have always honestly endeavoured to promote through our activities in this Council the best interests of the people in this country. As your Excellency remarked in your Address on Monday morning there have been many occasions on which there has been a difference of opinion between the Unofficial side of this House and those sitting opposite us. There have been occasions when these differences could not be resolved by debate. Speaking for myself, Sir, I wish to take this opportunity, which I may not have again, perhaps, of expressing to Your Excellency my very sincere appreciation during my six years, or nearly six years, service on this Council, for the very kind courtesy I have always received from Your Excellency, and not only from Your Excellency but from the Official Members of this House.

I believe it would be relevant, Sir, if I quoted a few short extracts from a speech made by a former distinguished Governor and President of this Council, the late Sir Hugh Clifford, when introducing the existing Constitution about 24 years ago. They are very relevant because I think they bear some relation to the speech which Your Excellency made when introducing the new Constitution. Sir Hugh Clifford said:

“ A further object that is fulfilled by the institution of a Council, such as that of which I am speaking, is that it affords a welcome opportunity for ventilating any grievances that at the moment may be causing exacerbation to any portion of the community, or, even in extreme cases, to individuals, on behalf of whom a Member of the Council may feel justified in interposing. It is a potent instrument for the removal of misapprehensions and misunderstandings, and it enables the Government to place before a number of business men the reasons that actuate it, and, possibly, to prove to them and to the general public that it is neither altogether a knave nor

completely a fool. That, in itself is not altogether disadvantageous; but I would suggest to you, Honourable Gentlemen, that the advantages that accrue from a Council such as this are shared pretty equally between those who govern, on the one side, and those who are governed, on the other. From the point of view of those who govern, for instance, I know nothing—and I speak from long and extended experience of colonial administration—I know nothing that has so steady and so salutary an effect upon the actions of Government and of its officers, from the Governor himself down to the last joined cadet, as the institution of a Council such as this. I may say that this is the very first Colony in which I have served during the eight and thirty years which it has been my privilege to live and work in the Tropical Colonies of the Empire in which there has been no necessity for the Governor to put to himself the simple question which is the first that occurs to the Governor of any other Colony with which I am acquainted; and that question, which he puts to himself when giving an order or recording a decision, if he is in any doubt, is: "How should I defend this order or this decision if it were brought up in debate in the Council of Government? And even a newly joined cadet, when moved for the moment by the impetuosity of youth, finding himself tempted to commit some arbitrary act, he also will have to say to himself: How would this thing look if they were to have it in question in the Council of Government and if they were to have me 'on the mat' about it? These considerations, I can assure you, have an admirably chastening and most restraining effect upon even the most judicious, even the most cautious, even the most ambitious, and even the boldest of Government officers;"—

"There is another point—a very important point and a very advantageous point from the standpoint of Government—and that is that a Council of Government, such as that of which I am speaking, provides the Government with the means of dispelling mischievous and spiteful rumours as to its actions and intentions. Now rumours of that description are very dangerous weapons if they find their way into the hands of sufficiently astute and unscrupulous people, who are dealing with ignorant masses of almost incredible credulity—masses who will believe almost anything that is told to them, no matter how clearly it may appear to better informed minds that the thing alleged could not have any foundation in truth. Now the day that any such rumour is started—and such rumours, as a rule, have a certain substratum of fact underlying a surface no matter how distorted and grotesque, for "the lie that is half a truth, is ever the blackest of lies"—the day, I say, that such rumours are started, if you have not the means at your disposal of nailing such forged half-crowns promptly to the counter

before they are allowed to gain currency, it is very easy to engender discontent and disaffection in people who are themselves innocent of offence, but who can very readily be quickened to a sense of apprehension, suspicion and dismay”.

“Such was the problem that I had set myself to solve, and, as the result of very careful discussion and study—discussion with men of many shades of opinion, and study of local conditions made as painstakingly as the circumstances at my disposal rendered possible—I hit upon a solution which, I trust, will prove to be fairly efficient, even if it can lay no claim to be all that the heart of man can desire. There are so very few things in the world that the heart of man does not desire, that I could not for a moment dream that any proposals that might emanate from me could possibly satisfy the insatiable”.

I have taken the trouble to quote rather lengthily from Sir Hugh Clifford's speech when introducing this Council, and both as a newspaper man and later as Member of Legislative Council, I think I have attended on and off in this Council for the last 28 years since it has been established and I think we can say now that we are on the eve of its dissolution that it has fulfilled all that Sir Hugh Clifford has desired for it. In your speech on Monday, Your Excellency hoped that many faces now present might also be present in the new Council which is to be inaugurated next year. For those who are nominated by Government there may be some certainty that they will return to the Council, but those of us who are Elected Members, I am afraid cannot be so sure, but I like to look back on the work that has been accomplished and to think that whatever might have been our shortcomings it has served to help the country forward. We have had many distinguished men on both sides of this House and I could name a few who have contributed to the work of this Council who should be remembered, and whose tradition I hope we have tried to carry out to the best of our ability; men like the late Egerton-Shyngle, late Ata-Amonu, late Eric Moore, late Dr Henry Carr, late Sir Kitoyi Ajasa, and among those still living Dr C. C. Adeniyi Jones, Graham Paul, Herapath and many others who have sat on this side of the House and have contributed their share to the advancement and welfare of Nigeria, and those of us who have had the privilege of serving with you like to feel that now we are coming to the close of our period, we can look back to the work done in our own time and be satisfied that our efforts have not been fruitless.

I hope Your Excellency will forgive me if I keep this House a little longer than perhaps most members would wish. Your Excellency has been touring the country lately and recently and while on a visit at Onitsha Your Excellency made a very important speech. I do not think there could be better opportunity of referring to that speech than on an occasion like this. One thing that struck me very much, Sir, in the speech was Your Excellency's appeal to the educated Africans as regards the value of the

propaganda which was being conducted throughout the country by that body known as the National Council of Nigeria and the Cameroons.

I can assure your Excellency that it is not many of us who care to associate ourselves with some of the extravagances and the sensationalism of that propaganda but I think I should be deceiving Your Excellency if I should say this afternoon that the activities of the National Council of Nigeria and the Cameroons are entirely of no importance. You would be surprised, Sir, that there are quite a number of educated Africans, and you would find some of them in the most unexpected quarters who believe in the Nigerian National Council because they feel it is the only effective medium today by which grievances can be brought forward to the notice of the Government. So far as I am concerned, Sir, I do not think it needs any repetition on my part, to say that I have always been a great admirer of the British. I am a great admirer of British institutions. I am a great admirer of the British way of life and I do not think that there can be any future for this country if there was a severance of the British connection in our present stage of development. I do not think there is any Unofficial Member on this side of the House who has travelled as extensively over Nigeria as I have done and this has given me an opportunity of seeing something of the real magnitude of the achievements of the British in their efforts for Nigeria, but there are just little things which today are causing discontent which are best given expression to by the National Council of Nigeria and the Cameroons. I should just like to mention a few things. They may not be important, but it is these little and apparently unimportant things that decide the relationship between individuals and communities. I quote a case, Sir, of an Honourable Member of this House, an African Member, going into the office of a Head of a very minor Government department. This Head appeared very busy over a pile of papers. He looked up and said "I am very sorry I cannot see you now, I am very busy" and the Member turned to go away. A European then walked in with his wife and was received with a smile. You can imagine the feeling this sort of treatment produces. The other day I was travelling by air to the Gold Coast. I went to Ikeja Airport, and was there earlier than I need have done. I went to where the lavatory was situated and I saw there marked at the entrance: "Africans" "Europeans" "Ladies". I went to the room intended for Africans. The place was very badly kept and there was not even toilet paper. I went on to the European section. That was very nicely kept. On arrival at Accra I thought I would continue the comparison. There the arrangement was different. They have a place marked "Gentlemen" and another "Ladies" not in the objectionable manner it is here. Recently there was an announcement in the papers that there would be a race meeting at Jos. The announcement suggests that at the meeting there was to be a European enclosure and an African enclosure. Quite a number

of young Africans who read the notice have come to me and asked "supposing a man like Sir Adeyemo Alakija were to go to the Jos Races where should he go to, the European enclosure, or the African enclosure?" Well, I am quite sure Sir Adeyemo Alakija being a self-respecting African would loathe to go into the European enclosure. These things appear very small and unimportant in themselves but they have a very bad effect. In that respect, Sir, I would just like to read a very interesting article I saw recently in the "World Review", written by a British army officer serving in India.

"We may have been successful colonisers, but we are certainly bad mixers. By our self-imposed segregation, typified in the Englishman's club-life abroad, we have denied ourselves the opportunity of getting to know and understand the people in whose land we have settled. This has encouraged an offensive habit of treating Indians as inferiors There is no excuse for being rude or offensive Yet what of equality of wages? Both in Government and Commercial appointments Indians are often paid a lower scale; but there are two aspects to this problem. First that the Indian requires less money to meet the cost of living according to his present standards and second that it is frequently the case that one Indian will not, in fact, do the job of one Englishman. It is not easy, with modern trends of thought in sociology to answer the first.

On the other hand it is often the small things that count. If a man like Nehru educated at Harrow, is not allowed to live on equal social terms with Englishmen in India (his own country) is it surprising that he is embittered.

If an Indian clerk in a firm in Calcutta or Bombay sees his English counterpart daily having a free lunch "on the firm" while he has to go out and buy his, is it to be wondered at that he resents this?"

Sir, I have mentioned those points in particular because I am appealing to Your Excellency, and to Members sitting opposite us, that the future of this country is in the hands of yourselves and ourselves, and we are looking to you to give us the leadership, and the only way that can be given and accepted is that all those things that tend to contribute to what I have just said should be removed. I am sure it can be done, and I can only appeal to you, and also to members on this side of the House, that we do everything in our power to remove the feelings of distrust and hatred such as prevails in many parts of the country, and which will hinder the progress of the many development schemes we are trying to undertake. I now come to a matter which is causing a great deal of uneasiness among the people of Lagos. I refer to the new Town Planning scheme. Lagosians may appear to your Excellency to be a group of small noisy children, who do not know what is

good for us. Well, that may be right, or it may be wrong, but so far as the question of the Town Planning scheme is concerned, there is a great deal to justify the agitation which at present exists. I do not think that it is necessary for me to remind the Englishman about what his own hearth and home mean to him. These words mean exactly the same thing to the man in this country. The new Town Planning Scheme is bound to result in hundreds of families in Lagos being uprooted from the homes in which their fathers and grandfathers had lived before them and to which they have the strongest attachment. It is not to be expected that people like these are going to welcome a scheme which is virtually going to make them homeless.

Then there is the financial side. We cannot guess at this stage what the cost of the Town Planning is likely to be, but I imagine it will be a colossal sum. If even Government were to concede that former property-owners could recover their land freehold by repurchasing after the improvements had been carried out; how can a poor people like the average Lagosian do so at the very much enhanced value of the land after planning. The suspicion is natural that the aim of the Government is to drive the African out of Lagos, to make room for Europeans and other non-Africans to live there. Your Excellency, although we have passed the Lagos Town Planning Amendment Ordinance, and increased the membership of the Lagos Executive Development Board to include three additional Africans, we are still appealing to Your Excellency not to proceed with the scheme until all the implications have been more fully considered. Who does not like to see a more beautiful Lagos? We all like to see a brighter and more beautiful Lagos, but what is the good of it if when the new Lagos has been built, Lagosians are permitted only to see and admire their beautiful town from a distance perhaps 200 miles away.

There are one or two other matters which I have thought I might bring to the notice of Your Excellency, and this House. The first is the matter of the African firm of Messrs Okanlawon Balogun. Balogun is also the head of a group of farmers. Early in 1941 he had a contract from Canada to ship about 9,000 tons of maize. He got the corn together with his farmer friends, and when the time came for shipment endless difficulties were placed in his way. I myself took the matter up with the then Chief Secretary, Mr Grantham, now Sir Alexander Grantham. After I had explained the matter to him Mr Grantham said, "send the man to see me". I did, and he gave him a note which went round and round the Secretariat in the usual manner. In short two agricultural officers were eventually appointed to go and inspect the corn, and there was hope that after this inspection the necessary export licence would be granted; but even after this every obstruction was still placed in the man's way until the whole of the corn was spoiled. It was then Government turned round very politely and told him "sell your corn for what you can get locally".

This is a matter which concerns a lot of small farmers and I have tried over and over again to get Government to recompense those concerned for the loss but without success. I was told that Government was under no legal liability for the loss. Well if our Government will evade its obligations because it can take cover under the law when its moral obligations are so clear, then all I can say is that we are in a very bad way. I hope, however, that we have not heard the end of this matter.

Another matter I like to mention is that I have been asked by the Jehovah Witnesses people to appeal to Government for compensation for some of their books burnt during the war. I am not interested in their literature—I never read it. I am a Catholic and have been taught to abominate that type of literature. That however is not the point. I feel it is a case where an injustice has been done, and I think it should be looked into.

The new Constitution will soon be coming into force. I am one of those who supported the Constitution on principle, because I believed then, and I still believe to-day that it is in advance of anything we have had in Nigeria; because for the first time all parts of Nigeria are to be represented in the highest Legislative body dealing with questions that concern all parts of this country, and for that reason I welcome it. I do not say it is perfect, but I am for giving it a trial. Whether or not I shall be privileged to serve on the new Council in the future, I wish it every success, and I hope that whoever are the members either Official or Unofficial, they will give Your Excellency the same honest advice that we on this side of the House have tried to give you in the past.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

Your Excellency, I had no intention of saying anything at this meeting, but when I found that Your Excellency had announced that you would soon be going away, and that this would be our last meeting, and that the meeting of December will miss your presence, I felt I must say a word or two.

I have to thank God that I have been able to work in this Council just during the time of war and I can remember I told a friend who came to me during hard times that my house was suffering from insufficient food and drink. I told him that we shall make the best of friends because he came to me just at a time of hardship and that when he shall be fortunate to find conditions better the next time he will enjoy it, for he shall have less expectation of better conditions. So I should thank God that I started being a Member of this Council during hard times, that is during the war. Having travelled by rail all through the war and met so many hardships in one way or another, I do not care to mention some of the treatments I experience on the train. Although we were privileged to travel in first class coaches, they were first class in name only and not really what would have been expected, but as I have once said

I am having no claim on anybody. I take whatever comes to be my lot and to be what God has provided for me. We have now come to an end of this present Council and we are expecting the beginning of the new business which will soon be started next year with the New Constitution. I took the news of the New Constitution to my people with much pleasure as it proved that we do not come here for mere show. From the first day the paper was laid before us I expressed by agreement and appreciation of that Constitution because it gives more scope to my people to take part in the administration and especially that I want them to learn more. It is of course not so easy for people of less experience to welcome sudden changes.

There are few people who realise that the world is subject to changes, be it a political or any other kind. During these changes one must entertain a feeling of some kind of nature, feeling of pain, distress, joy or as the case may be, and so some people really have little idea of what a change means. They may vote or protest against it and regret afterwards as so many are protesting against the New Constitution, because they are ignorant of what it really means and its future benefits. They may say why should I use the word ignorant and perhaps get annoyed over my expression of ignorance but at the same time I am sure that the world is subject to changes, so we ought to wait and watch until the New Constitution is under weight when it will be proved whether it will work for the good or bad of the Administration of our Country. They would not wait but condemn it.

I still say I am very glad for the introduction of this New Constitution for it brings the people from all parts of the Country through their representatives closer together and they are there to do their best for the success of that Constitution for their future benefit and progress when they will say, we can now walk on our feet.

There have been a lot of things already spoken with which I agree. I know that the British Government is an old Government, because I can remember our great grand father King Williams signed the Treaty during the days of Queen Victoria and paid for stopping the slave trade. I know that he was one of those who sold so many slaves to the Portuguese and others, and those slaves were taken to Jamaica and to many other places. At the time these people were sold they actually had a bad time and experience. During those days we had very little idea of education. Later the offspring of those very slaves have become far better men than the people who sold them in all conditions of progress in life.

Your Excellency, I still hope and implore you to exercise great patience and while we are working with the British Government, with the help of God we shall see what the future will provide for us.

Your Excellency mentioned trade:—

I wish to inform this House that at Victoria we are having a very bad time owing to high cost of manufactured goods. The

merchants have made arrangements with the middlemen to supply them with the best part of their goods from the wholesale stores and these traders in selling the goods are charging sometimes 100-200 per cent profit on the actual cost from the Victoria Stores. I do not mean the Invoice Cost in Europe, but the cost in the Store at Victoria after Customs dues and the necessary profit have been added, the traders charge exorbitant prices for those goods when retailing them locally and this ranges between 50-200 per cent increase on the actual cost of the goods supplied by the Trading firms. How can one expect poor people to exist financially under such conditions.

That the goods after the charges added by Custom duties and profits of the trading firms have become so dear only because they will not retail them but prefer making a wholesale business, the African middlemen being given the benefit of retailing is very painful to the public. Just before I left, a bag of salt weighing 40 lbs. was sold by U.A.C. at 6s 7d to these middlemen; same was sold by them to the local buyers in Victoria from 15s to 20s.

All such kinds of business had never been experienced before. The merchants sold all kinds of goods or merchandise direct from their own shops to the local inhabitants in small quantities as well as to those who are able to buy large quantities, whereby there was no chance given to middlemen for oppressing the public to that extent. The native inhabitants are now suffering from the oppressive hands of these traders.

If we compare conditions existing before 1914 to those of the present, humanly speaking, the local man is of the opinion that the Government takes no interest in the economic condition of the people whether it be better or not. The people want the merchants to sell all lines of goods direct to them and not through their middlemen as in pre-war times and they wish Government to intercede on their behalf. It is very hard to convince them if Government will not help by arranging with the merchant firms in the selling of small quantities saleable to individuals and at the same time reintroduce the control on prices of manufactured and imported goods.

I have to thank the Government that we have got a Hospital although it has not been opened yet and also for our road up to Mamfe which is nearly completed. We still hope many other things will be done.

One thing I wish to say is in connection with this Development and Welfare Scheme; I hope the natives will be given plenty of chance to play their part in the Development Scheme. Take for instance Victoria—a lot of people like to have good and decent houses and dwellings but if Government deprives the poor natives of their land, it will take hundreds of years before any advancement can be expected to be done by them in that country.

Some people know Victoria and others not. I have a strong desire that improvement be made that visitors arriving there might be

able to say want a beautiful town it is. We want a chance to erect houses and develop the place.

I do not wish to make a long speech and would thank Your Excellency on behalf of the Cameroons for all you have done during the time of the old Constitution, for the true interest and advancement of this country. I hope Your Excellency will live to see the fruits of your labour and if the faces here are privileged to make their appearance again it will be a pleasure to see what will happen under the New Constitution.

I hope Government will exercise great patience, because we, as children can talk a lot and do very little; you may always be overlooking our faults and continue to teach us as fathers. Use your paternal feelings and with these remarks I conclude.

His Excellency :

I have a formal motion before the House, but before I put it to you perhaps the Chief Secretary would like to say a word or two.

I hope a brief word.

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I should first of all reciprocate the sentiments expressed by several Honourable Members on the other side of the House, at the burial of this Old Constitution, or at the near-burial shall I say, since there will be one more appearance before it finally disappears, and to say that as Unofficial Members have thanked Official Members for their assistance may I, on behalf of Official Members, extend the same thanks to Members on the opposite side of the House.

I am afraid it will not be possible to deal with the various points raised by Unofficial Members but I would like to deal very briefly with one.

The Honourable the First Lagos Member referred to mass meetings at Oko Awo. It has become fashionable recently to have what are called mass meetings at Oko Awo, and I thought perhaps it might be of interest to Honourable Members to hear a somewhat apt definition of the Oko Awo mass meetings—"A comparatively small number of people, mostly small boys, who are apt to pass a resolution which the majority of them have not heard, and none of them have understood". I suggest that the mass meeting is not a very responsible method of bringing matters to the attention of Government.

Sir, as this is your last appearance before this Council, I should like to offer you, on behalf of all Members of this House, our hope that you will have a good rest while you are taking your short leave, and return ready to tackle the great problems which will be dealt with under the New Constitution.

His Excellency :

The question is that this Council do now adjourn until the 9th December.

Council adjourned at 4.15 p.m. until 10 a.m. on the 9th of December, 1946.



NIGERIA

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Legislative Council Debates

Twenty-Fourth Session

9th, 10th, 11th and 12th December, 1946

NOTE

An asterisk (*) against a speaker's name denotes that the transcribed speech has not been revised by the speaker.



Debates in the Legislative Council of Nigeria

Monday, 9th December, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Monday, the 9th of December, 1946.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, c.m.g.
- The Acting Chief Secretary to the Government,
The Honourable G. F. T. Colby.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, c.m.g.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Acting Financial Secretary,
The Honourable A. W. L. Savage.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, c.b.e.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, c.b.e., r.d.,
r.n.r.
- The Comptroller of Customs and Excise,
The Honourable W. T. Martin.
- The Senior Resident, Niger Province,
Captain the Honourable B. E. Sharwod Smith, e.d.
- The Senior Resident, Oyo Province,
Lt.-Comdr. the Honourable J. G. Pyke-Nott, r.n.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning, c.m.g.
- The Director of Public Works,
The Honourable H. E. Walker, c.b.e.

The Acting Director of Agriculture,
The Honourable J. D. Brown.

The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.

The Mining Member,
The Honourable H. H. W. Boyes, M.C.

The First Lagos Member,
The Honourable E. Ikoli.

The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.

The Member for the Cameroons Division,
The Honourable J. Manga Williams.

The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.

The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.

The Member for the Warri Division,
The Honourable Jesse Ogboru.

The Second Lagos Member,
The Honourable E. A. Akerele.

The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimicari.

The Member for the Ibo Division,
The Honourable E. N. Egbuna.

The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.

The Member for the Egba Division,
The Rev. and Honourable Canon S. A. Delumo.

The Commercial Member for Port Harcourt,
The Honourable W. V. Wootton.

The Member for the Ijebu Division,
The Honourable T. A. Odutola.

The Third Lagos Member,
The Honourable I. Olorun-Nimbe.

The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

The Honourable E. A. Miller,
Commissioner of Labour.

The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.

- The Honourable T. V. W. Finlay,
Commissioner of Police.
- The Honourable F. S. Collier,
Chief Conservator of Forests.
- The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
- The Honourable P. W. Adshead,
Accountant-General.
- The Honourable C. W. Reece,
Acting Solicitor-General.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

ABSENT

OFFICIAL MEMBERS

- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompstone, C.M.G., M.C.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

PRAYERS

His Excellency the Officer Administering the Government
opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 31st of October, 1946, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

OATHS

Captain the Honourable B. E. Sharwood Smith, E.D., Senior Resident, Niger Province; Lt.-Comdr. the Honourable J. G. Pyke-Nott, R.N., Senior Resident, Oyo Province; the Honourable E. A. Miller, Commissioner of Labour (Extraordinary Member); the Honourable N. S. Clouston, O.B.E., Commissioner of Lands and Director of Surveys (Extraordinary Member); the Honourable T. V. W. Finlay, Commissioner of Police (Extraordinary Member); the Honourable F. S. Collier, Chief Conservator of Forests (Extraordinary Member); the Honourable A. F. B. Bridges, Resident, Cameroons Province (Extraordinary Member); the Honourable P. W. Adshead, Accountant-General (Extraordinary Member); the Honourable C. W. Reece, Acting Solicitor-General (Extraordinary Member); and the Honourable J. G. C. Allen, Acting Commissioner of the Colony (Extraordinary Member), took the Oath as Members of the Council.

PAPERS LAID

The Hon. the Acting Chief Secretary to the Government:

Your Excellency, I beg to lay on the table the following papers:—

Sessional Paper No. 16 of 1946—Statement of Agricultural Policy.

Sessional Paper No. 23 of 1946—Annual Report on the Nigerian Railway for the year 1945.

Sessional Paper No. 25 of 1946—Report on the Audit of the Accounts of the Nigerian Government Railway (including Road Motor Services) for the year ending 31st March, 1945.

Sessional Paper No. 27 of 1946—Annual Report on the Posts and Telegraphs Department for the year 1945-46.

Sessional Paper No. 28 of 1946—Annual Report on the Nigeria Marine for the year 1945.

Sessional Paper No. 29 of 1946—Annual Report on the Mines Department for the year 1945.

Report of the Standing Committee on Finance for the month of October, 1946.

Subsidiary Legislation made since the last meeting of the Council.

Certificates of Urgency in respect of the following Bills:—

An Ordinance to make special provision for the grant of a pension to Kenneth Baynton Forge.

An Ordinance further to amend the Shipping and Navigation Ordinance.

QUESTIONS

NOTE.—Replies to Questions Nos. 48 and 123 by the Honourable the Third Lagos Member; Nos. 127, 130-132 by the Honourable the Second Lagos Member; Nos. 172 and 213 by the Honourable the Third Lagos Member; Nos. 218 and 221 by the Honourable the Member for Calabar; No. 231 by the Honourable the First Lagos Member; Nos. 242, 243, 246 and 247 by the Honourable the Member for the Ijebu Division; No. 252 by the Honourable the First Lagos Member; Nos. 256-258 by the Honourable the Third Lagos Member; Nos. 262 and 263 by the Honourable the Member for the Oyo Division; Nos. 265 and 271 by the Honourable the Member for the Colony Division; No. 273 by the Honourable the Member for the Ijebu Division; Nos. 274 and 275 by the Honourable the Member for the Egba Division; Nos. 276 and 277 by the Honourable the Third Lagos Member are not yet ready.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

135. Referring to page 100 of the Blue Book for the year 1876, in view of recurrent reports of losses of money from different Government Department:—

(a) To ask the Honourable the Financial Secretary if Government clerks having anything to do or in charge of public revenue are now secured by sureties?

(b) Were there any shortages or losses from Government Revenue refunded, or recovered from those in office when money was missing?

(c) How much lost money was written off in the last three years?

(d) Will Government now consider that the time has come in the interest of tax payers to introduce or re-introduce on an extensive scale the system of engaging men in Revenue yielding Service on security?

Answer—

The Hon. the Chief Secretary to the Government:

(a) No, Sir.

(b) Losses of Government funds involving the negligence of an official are considered to be recoverable from the official in proportion as the loss was attributable to the negligence disclosed, and such recoveries are regularly made.

(c) £2,918 11s 8d.

(d) The matter is already under consideration by Government.

The Member for the Ibibio Division (The Hon. G. H. H. O'Dwyer):

200. To ask the Honourable the Chief Secretary to the Government:—

The Member for the Ijebu Division (The Hon. T. A. Odutola):

245. To ask the Honourable the Chief Secretary to the Government:—

In view of the important position and usefulness of Ijebu-Igbo-Akanran Road, in that it serves two Provinces, will Government kindly consider the advisability of taking over its maintenance?

Answer—

The Hon. the Chief Secretary to the Government:

The Ijebu-Igbo-Akanran road runs roughly parallel to the main road between Ibadan and Ijebu-Ode. The latter is classified as a Trunk Road "B" whereas the former ranks as a feeder road. It is not the policy of Government to take over the maintenance of feeder roads nor is it considered justifiable to alter the classification of the Ijebu-Igbo-Akanran road.

The First Lagos Member (The Hon. Ernest Ikoli):

260. To ask the Honourable the Chief Secretary to the Government:—

What are the conditions of service of Bailiffs, whether the rules and regulations regarding retiring age and grant of pensions are applicable to them as other members of the Civil service?

Answer—

The Hon. the Chief Secretary to the Government:

The post of Bailiff is pensionable on the salary scale £36-6-66; £72-6-120. All Bailiffs serving on this scale are subject to the same conditions of service as other non-European pensionable officers.

2. There are certain Bailiffs who have elected to remain on old conditions of service and who are not pensionable. Such employees receive emoluments consisting either entirely of fees or of salary plus fees; their retirement is permitted or required on the same basis as for other non-European Government servants and, if in receipt of regular monthly salaries, they may receive retiring benefit under the provisions of Circular No. 19 of 1945.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan):

261. To ask the Honourable the Chief Secretary to the Government:—

Whether it is a fact that at present Nigeria Agricultural Department is in need of more Technical Workers than hitherto and, if so, whether any indication can be given of the efforts being made to encourage the technical workers at present in the Department?

Answer—

The Hon. the Chief Secretary to the Government:

Yes, Sir. Technical workers at present in the Department are afforded the prospects of and facilities for advancement common to Government Services generally.

The Member for the Oyo Division (The Hon. Akinpelu Obisesan):

264. To ask the Honourable the Chief Secretary to the Government:—

Whether it is a fact that the Government of the Gold Coast pays transport expenses on cocoa throughout the country and, if so,

whether Nigeria Government will not consider the advisability of doing a similar thing in Nigeria?

Answer—

The Hon. the Chief Secretary to the Government :

No, Sir, but a flat price is paid at railhead.

In Nigeria the producer is paid the port price less transport differential. It is not proposed to alter the basis of payment in Nigeria.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

266. Inviting the attention of the Honourable the Director of Medical Services to the Streets in Lagos, *e.g.*, Docemo, Great Bridge, Ebute Ero, Breadfruit, Balogun and several others in their dirty and disgraceful condition, to ask why are there no more Street Sweepers in Lagos?

Answer—

The Hon. the Chief Secretary to the Government :

The cleaning of streets in Lagos is the responsibility of the Lagos Town Council and not that of the Director of Medical Services.

The Lagos Town Council spends approximately £15,000 a year on wages of the labour engaged in the cleaning of streets, which is equivalent to a rate of 6d in the £; any increase in the number of men employed would necessitate a further increase in Township rates. The condition of the streets named is very largely due to the fact that their inhabitants use them for dumping rubbish.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

267. To ask the Honourable the Chief Secretary to the Government:—

(a) How many Licensed Motor Drivers are there in Lagos and environs, European and African?

(b) How many are driving lorries?

(c) Would he consider recommending to the Government that an Ordinance be passed that no one should be allowed to drive any Motor Vehicle who has not passed Standard Six in Schools recognised by the Education Department or a departmental test as to his intelligence of mechanical parts of motor vehicles and their handling or operation?

(d) Also to stipulate that seats in all Lorries be so arranged as to face the drivers as in "Buses" with convenience to board or alight?

Answer—

The Hon. the Chief Secretary to the Government :

(a) and (b) Statistics are not available. 3,857 driving licences, including 2,100 professional driving licences, have been issued in Lagos in 1946, but these figures include drivers who, although licensed in Lagos, are now operating elsewhere in Nigeria.

(c) No, Sir.

(d) No, Sir.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

268. To ask the Honourable the Chief Secretary to the Government to suggest to Government the publication of a miniature replica of the Town Planning either for free distribution or sale to enable the Community of Lagos to grasp the importance and effect of the operation before them?

Answer—

The Hon. the Chief Secretary to the Government:

Government has already given consideration to the possibility of producing a small-scale reproduction of the Lagos Island Town Plan, prepared by the Town Planning Officer for general distribution and experiments have been carried out to see if this can be done by simple photography. It has been found that reproductions made in this way do not display the details of the plan sufficiently clearly to be of any use. Satisfactory results could be obtained only by the use of a highly complicated process and the necessary staff to do this is not at present available. Furthermore, the cost would be so great that the reproductions of the plan could not be retailed to members of the general public at a reasonable price.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

269. To ask the Honourable the Chief Secretary to the Government:—

(a) What taxes are collected in the Colony Division—Poll or Income Tax?

(b) Is the Colony Division affected by or under the Income Tax Ordinance?

(c) To which of the Districts of the Colony Division is a Tax Officer appointed?

(d) What are his duties and limitations?

(e) Are Divisional Officers of the Colony Division under his direction and dictates in matters of Taxation?

Answer—

The Hon. the Chief Secretary to the Government:

(a) and (b). Income Tax, under the Income Tax Ordinance, 1943, is levied on all persons resident within the Municipal Area of Lagos. Outside that area tax under the Direct Taxation Ordinance is collected from all natives, and tax under the Income Tax Ordinance from all non-natives. There is a small number of cases where natives resident in the Colony outside the Lagos Municipal Area are subject to Income Tax on income arising within the Lagos Municipal Area.

(c) A Tax Officer was appointed to the Ikeja Native Administration on the 1st of September, 1946, but the scope of his activities extends to all other Divisions in the Colony, all the Native Authorities of which pay a proportion of his salary.

(d) (i) To check and supervise tax assessment and collection generally, and to promote uniformity of method;

(ii) To promote the closer assessment of the higher incomes;

(iii) To tighten up assessment and collection in the border areas of the different Native Authorities; to check all necessary correspondence to these ends between the Native Authorities;

(iv) To conduct correspondence regarding tax as between the Colony and Divisions outside the Colony;

(v) To conduct tax prosecutions;

(vi) To advise the Native Authorities on all matters concerning taxation and to undertake the training of Native Administration employees as directed by the Divisional Officer concerned;

(vii) To carry out any other duties that the Commissioner of the Colony may assign to him.

(e) No, Sir.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

270. To ask the Honourable the Chief Secretary to the Government:—

(a) If it is a fact that some rifles were stolen by burglars some time ago from the armoury at Epe?

(b) Were there any amunitions carried away with them?

(c) Have they been recovered and the culprits rounded up?

(d) Has any investigation been made about a missing amount of money from the Government Safe in Epe?

(e) If so, what are the findings and decision?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir.

(b) No, Sir.

(c) All the rifles have been recovered and arrests have been made.

(d) The Honourable Member is presumed to refer to the loss of £750 from the Strong Room at Epe. A Board of Inquiry has been appointed to inquire into the loss and the report of the Board is now awaited.

(e) See (d) above.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

272. To ask the Honourable the Chief Secretary to the Government, in view of daylight murder, robbery and stealing in different parts of Lagos and environs if he would suggest or recommend to Government an increase in the numerical strength of the Police under the Command of the gallant Commissioner of Police to assure the tax and ratepayers of the safety of their houses, belongings and person under "Pax Britannica"?

Answer—

The Hon. the Chief Secretary to the Government:

The approved establishment of the Lagos and Colony Police was increased by 109 on the 1st of April, 1946, and steps are being taken to give effect to this increase as accommodation becomes available.

MOTIONS

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the Resolution standing in my name which reads as follows:—

“ Be it resolved :

“ That the Report of the Finance Committee which was
“ laid on the table to-day be adopted.”

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

Your Excellency, I beg to second.

Motion adopted.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the Resolution standing in my name which reads as follows:—

“ Be it resolved :

“ That this Council approves of the award of an *ex gratia* annual allowance of £70 to Mr C. L. C. Hawtin, formerly Assistant Treasurer, with effect from the 15th of November, 1946, as assistance towards the extra expenses of being permanently paralysed as the result of Infantile Paralysis contracted while serving in Nigeria.”

This officer, Sir, was permanently invalided in 1928 and he is in receipt of a service pension of £104 a year and also of a disability addition of £220—a total of £324 a year. That total, Sir, precludes a statutory increase under the Ordinance which was passed by this Council for the temporary increase of pensions because the present payment exceeds £300 a year. Mr Hawtin is completely and permanently paralysed in his legs and his cost of living and his medical expenses have been considerably increased in recent years—far more than the average pensioner. The Secretary of State and Your Excellency, with the approval of your Executive Council, considered that the limitation under the Ordinance to which I have referred operated unfairly in the case of this very deserving and unfortunate officer and that it would be equitable to regard the present service pension and the disability pension as though they were separate pensions and to grant an *ex gratia* annual allowance based on the increase which the Ordinance, if it did apply, would amount to. This represents an amount of £70 a year.

I submit this Resolution for the sympathetic consideration of this Council.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second,

Motion adopted.

BILLS

*(First Readings)***The Ex-Enemy Lands (Cameroons) Ordinance, 1946****The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :**

Your Excellency, I rise to move the first reading of the Bill for :

“ An Ordinance to facilitate the acquisition by the Governor of certain lands in the Cameroons under British Mandate, to declare the same to be held by the Governor for the use and common benefit of the inhabitants of the said territory, to enable the Governor to grant leases of the said lands in order to ensure the cultivation and development of the same, and to provide for purposes connected with the matters aforesaid.”

This Bill, Sir, is one of two Bills connected with the proposal which is now being put before this Council and which will be “ rounded off ” I hope on Wednesday, with a financial resolution, in connection with the future development of the Cameroons. I would, therefore, ask the indulgence of Council in dealing with all these matters in one speech in order that the whole proposal may be properly understood.

When the Cameroons were taken over by the Germans, Imperial Crown grants were made, about 1905, in the name of the Kaiser, to certain Germans who then became resident in the Cameroons and opened up a number of estates. These Crown grants were in the nature of freeholds. The Germans operated these estates and grew cocoa, oil palms and other commodities there. Then came the 1914-1918 war and the Germans were driven out of the Cameroons and these estates came into the hands of the then Custodian of Enemy Property. When that war was over it was decided that these lands or properties should be sold for the purpose of obtaining money for reparations purposes and they were put up for auction in London with the stipulation that they should not be sold to ex-enemy nationals. For one reason and another the sale was not put through and the lands were withdrawn. Then it was decided to withdraw the stipulation that they should not be sold to ex-enemy nationals and the lands were again put up for sale and the majority of them were sold to Germans or German Companies. They were sold in practically all cases with freehold titles. In the year 1925 the Lands and Native Rights Ordinance was applied to the Cameroons in the same way as it is applied to the Northern Provinces, but certain lands were excluded. Amongst those excluded lands were those sold with freehold titles to Germans and in a few cases incidentally to British and other Nationals.

Between 1925 and 1939 some of those lands changed hands, and other lands, but mostly in small lots, were made available by Certificates of Occupancy under the Lands and Native Rights Ordinance. As a matter of fact there were a few other holdings of a different sort, but I will deal with these at a later stage.

Then came 1939 and the outbreak of war. A Custodian of Enemy Property was appointed, and he took these German and enemy estates and assets under his custody. For a time the estates were operated with the

assistance of the Germans, but they were finally interned and sent elsewhere. A General Manager was then appointed, and since 1940 these estates have been operated as well as possible on behalf of the Custodian by this Manager and his staff. The staff has been small, and because of the conditions during the wartime emergency, the lands could not always be operated to the best advantage. Many of these properties or estates have been kept on a care and maintenance basis and, in fact, in many instances, there has only been a watchman on the spot because staff was not available to operate them or, if it were, there was no transport available to remove the produce. The banana properties have been kept on barely more than a care and maintenance basis, subject, however, to retaining a sufficient nucleus of bananas so that the banana plantations could be rapidly expanded when the war was over. A few of the bananas have been converted into dried bananas for export.

Some of the oil palm properties have been operated during the war, and the rubber has been fully exploited for assistance to the war effort. I would like to say that, in my opinion, it reflects the greatest credit on the person who has been in charge of these estates during the war, that he has been able to maintain them as well as he has done with the shortage of staff, the shortage of spare parts for machinery and difficulties of transport. Nevertheless, in spite of all this, the properties have been run at a loss, and they have seriously deteriorated during the war.

Now we come to the end of the war, Sir, when it is felt that the correct thing to do is to repair the omissions of the past and ensure that those lands are acquired and operated for the benefit of the inhabitants of the Cameroons.

The proposal is, therefore, that this Government should, with the approval of this Council, purchase these freeholds and then convert the lands into native lands. As they stand at present, if the lands are purchased by Government they remain Crown lands. It is proposed they should not be made Crown lands but converted immediately into native lands by Government divesting itself of the freeholds in favour of the people of the Cameroons. It is proposed, nevertheless, that the Governor should be empowered to lease those lands, despite the terms of the Lands and Native Rights Ordinance, to a Corporation which will operate solely for the benefit of the people of the Cameroons. Therefore those lands will be leased on a ninety-nine-year term with a continuing option to the Corporation of renewals thereof. Before that is done, however, it may be found necessary to make some adjustments in the boundaries of native villages and lands available for those natives who are settled in that area, so that they have adequate farm land. I would like to say, however, it is not the intention to exclude from those estates, land purely and simply for the purpose of the native to exploit for land appreciation profits. It is intended to give the natives fully adequate land for their own use but not more.

By doing all this the title of these lands will therefore be removed from European or other ownership and will go back to the collective ownership of the people of the Cameroons. The Governor, as he is in the case of all native lands, is the Trustee on behalf of these people.

It is proposed to set up a Corporation by law, that is the second Bill which will be dealt with this morning. That Corporation will consist of not more than nine members who will be appointed by the Governor. There will be no shareholders in that Corporation. It is a statutory body whose job it will be to operate the Cameroons Plantations and such other business as may be considered desirable for the benefit of the people of the Cameroons. I repeat there will be no shareholders. The gentlemen who are appointed to the Corporation, which is virtually only a Board, will receive a fee in the same way as the Directors of a Company would receive fees, if the Governor so approves, but they will not be shareholders, and they will not be receiving dividends. The intention is that there shall be progressively increasing representation of the people of the Cameroons on that Board. Of necessity that representation will be small in the beginning, because I think, without any reflection on the people of the Cameroons, there are not many people there who are competent at this stage to deal with highly complex business. It will be the business of the Corporation to expand educational facilities in order to increase the number of educated people in the Cameroons, so that in course of time, it may take many many years to do it, the Corporation should be entirely a Cameroons body, consisting of Cameroons personnel and, no doubt when the right time comes, elected by the people of the Cameroons themselves. That is the objective but it is bound to take time. To begin with, it will need a great deal of outside expert advice in order to bring the Corporation up to a stage where it is developing these lands to the utmost, and where educational facilities have been put in in order to bring on quickly the people of the Cameroons to take over their own responsibility.

It is intended that the Corporation should develop these estates on the most up-to-date and modern lines, calling in where necessary, experts from other parts of the world to ensure that the best possible policy is adopted for the operation of these estates. It will be given borrowing powers for capital for such developments, and for day-to-day operations of the business. It will pay a rental to Government for those properties for the first thirty-five years, because Government will have to borrow the money with which to buy the properties, and it is intended that the terms of the lease shall be such that the rental paid by the Corporation for the properties over the first thirty-five years will repay Government the cost of the purchase of those estates with accrued interest. After thirty-five years the Corporation will have the benefit of the properties at a nominal (peppercorn) rental each year. It is intended, as I said before, to give a ninety-nine-year lease with an option to the Corporation for continuing renewals.

Now, the profits which are made by the Corporation in operating these estates will be used first of all for the improvement of the estates themselves, their further development in order that the estates earning capacity may be further increased. It will be necessary perhaps also to put a certain amount of money into reserve against unfavourable years in the future when prices may drop and markets are not so good. Having done that, the Corporation will then consider giving a bonus each year to all the employees who have been constantly employed throughout the year. For that purpose, it is intended that eleven months' service during the year shall be considered as constant employment, subject to a variation where for medical grounds the individual employed was unable to work. The idea is that we should stimu-

late the people of the Cameroons to work on these properties, and in doing so they will then participate in the profits which will naturally be distributed to each individual, proportionately according to the amount which he has earned as ordinary wages during the year. Having done that the remainder of the money will be used under the direction of the Governor for the general benefit of the people of the Cameroons as a whole.

I have omitted one point and that is that part of the responsibility of the Cameroons Development Corporation will be to provide out of its profits educational, medical and all sorts of welfare facilities, including improved housing and so forth for the people who are working on the estates and the people in the area in the neighbourhood of those estates. After providing for such welfare and other services the people who are working on the estates, the remainder of the profits each year will be used for the benefit of the whole of the Cameroons under British Mandate for such improvements and developments as the Governor may determine.

I hope therefore that this has made it quite clear to Honourable Members that there is no question of a large body of Europeans, or white shareholders who will take profits of this Corporation out of the country. I hope it is clear that all, I repeat all, of these profits will be used for the benefit of the people of the Cameroons. I assure Honourable Members there is no catch in it ; this is the sincere and only intention.

Turning to the question of purchase of land, Sir, there are some few estates in the Cameroons which are not of ex-enemy ownership ; therefore they are not in the hands of the Custodian, and therefore no action will be taken in connection with them under this legislation. They do not represent very many. In regard to the freehold lands in the hands of the Custodian it will be seen in the revised Schedule to the Ordinance which has been passed round to Members this morning, that there are fifty freehold parcels of varying sizes, converting hectares into acres, from some 33,000 acres down to small plots of less than one acre. I might point out that the Bill which is before Council is to provide an Enabling Ordinance for the Governor to purchase these lands. It is not mandatory upon the Governor to purchase them and therefore certain lands have been put in that Schedule concerning which there are outstanding matters and claims which need to be investigated. Action will not be taken by the Governor in these cases until he is satisfied with regard to such outstanding matters.

Now, Sir, the method of purchase from the Custodian has been the subject of some considerable discussion in London during the past few months. The monies which are realised on the sale of these lands by the Custodian go into the Inter-Allied Reparations Accounts, and there not only is His Majesty's Treasury at home, but the representatives of all the United Nations who are anxious to see that a fair and reasonable price is paid for those estates. From our point of view we naturally want the price to be fair and reasonable, but perhaps our ideas of fair and reasonable may not be quite the same as those of certain other persons representing other nations. However, it has been agreed between the Trading with the Enemy Department and His Majesty's Treasury at home that the valuation of these estates for purchase by Govern-

ment shall be on formula which has been accepted. First of all the freeholds will be purchased as if they were undeveloped and unimproved and it is intended that—

- Best banana land should be purchased at 30s per acre ;
- Ordinary banana and best palm land where there is no disease 25s per acre ;
- Good palm land and rubber land 20s per acre ;
- Diseased banana land and second quality lands generally 15s per acre ;
- Mountain and unuseable land for estate work 5s per acre.

There will be some modifications and overlaps between those but that is the general principle which has been agreed upon. These figures represent the value of the land as if it were still primary bush and had not been cleared and developed.

The second item which will be considered, Sir, is the value of the improvements, crop by crop, of those lands which have been brought under cultivation. That is to say the current value of the banana estates, the oil palms and the rubber trees will all be gone into on a basis of what they would cost to bring them to their present bearing capacity and stage of cultivation. The buildings, wharves, roads, bridges, etc., will be taken at a written down figure as shown in the Custodian's books less or plus such adjustments as may be considered desirable when they are surveyed by an expert engineer. Similar action will be taken in regard to the railway and rolling stock, in which case a railway expert will make a revaluation. The vehicles, furniture and machinery will be dealt with in the same sort of way—written down at what can be considered their present useable value to the Corporation. Nothing will be paid for good will as it is considered that no good will exists as the properties have fallen to a very low ebb during the war, and therefore will have to be considerably revived and rejuvenated before they become a paying proposition. So much for the valuation of the freehold estates.

In addition to those, there was a number of pieces of land made available to Germans and other enemies since 1925 under Certificates of Occupancy under the Land and Native Rights Ordinance. There are some twenty-one Certificates of Occupancy known—perhaps there are one or two more which have not come to light. In this case the Governor will direct the Custodian, under section 6 (1) of Order No. 25 of 1939, to surrender these Certificates of Occupancy subject to the payment of compensation. The Governor will then issue new Certificates of Occupancy to the Corporation in like terms and for like periods as the leases which he will grant for the freeholds. It will not require any legislation for the conversion of those lands into native lands as they are already native lands. There may be a few other cases, however, where there are small Crown leases which need further investigation, and there is also the case of a concession which will be dealt with by means of compensation. It is possible, however, that one or two of these cases, when they have been further investigated by the lawyers, may require additional legislation at a later stage to convert the lands into native lands. In addition to the Certificates of Occupancy, the concession for the Tiko Wharf, and the small Crown leases, there are ten cases of pier licences which the Governor will also cancel and reissue to the Corporation.

Now the cost of all this is rather uncertain. We are going to have some arguments from time to time, but I hope we shall not find it will exceed three-quarters of a million but that may not be sufficient and this Council will be invited after it has passed these two Ordinances to vote an advance not exceeding £850,000 which is considered to be fully adequate for the purchase of these estates, and the payment of compensation. The total area involved is somewhere in the vicinity of 250,000 acres and as I said the size of individual estates and plots varies from 33,000 acres down to less than one acre. The intention is that the Nigerian Government should borrow the money required for the purchase of these estates and payment of compensation by a loan which it will raise, and it will recoup itself, for the capital with interest, by the rental charge which will be made to the Corporation over thirty-five years.

Now there is one important exclusion from amongst the bigger estates in the Cameroons from this Bill. I refer to an estate known as the Likomba Estate. Likomba is an important estate which is believed to be something over 15,000 acres, and which is in the very heart of the banana land in the Tiko plain. This estate is claimed by a British Company who claims to have practically complete beneficial interest in it through a German nominee. The matter has been put forward by this Company to the Committee of Experts of the Inter-Allied Reparations Agency, and we have been requested therefore not to take any action in connection with this estate pending the decision of the Committee of Experts in regard to beneficial ownership. I am glad to inform Council, however, that the claimants—I have had some negotiations with them with the approval of the Secretary of State—have agreed that in the event of their claim being proved they will turn over as a gift to the Governor the freehold of the Likomba estate for him to convert into native lands subject to their being given a licence to operate those portions of the estate which are suitable for bananas for their own account for eighteen years. The remainder of the estate, however, will be made available for the Corporation and the Company will also participate proportionately with the Corporation in such welfare, educational and medical facilities as are provided by the Corporation. That means to say, then, that subject to the granting of the licence to this Company for a period of eighteen years to operate the portion of the Likomba estate suitable for bananas, the estate will be turned over to the Governor as soon as their claim is proved, and then it may be necessary for this Council, or its successor, to be invited to pass another piece of legislation converting Likomba into native lands. In the event of the Company's claim not being proved, then the Governor will seek to purchase Likomba from the Custodian and a short piece of legislation will be put forward at a later date to add Likomba to the Schedule to this Ordinance, which I feel sure will shortly be passed by this Council.

Subject to the passing of these Bills, the intention is that the Corporation should be set up with effect from the 1st January, 1947, and with that end in view, certain tentative arrangements have been made for the operation of those estates. For instance, I have just explained one in connection with the Likomba estate. An agreement has also been tentatively reached in regard to the marketing of the bananas on an agency basis which will ensure the Cameroons Corporation, on behalf of the people of the Cameroons, getting the very best return for that fruit. Negotiations were carried on in London with the Ministry of Transport and the Ministry of Food which have ensured the allocation of four banana ships to the Cameroons trade

forthwith—not exactly forthwith because two are immediately available and the other two will be as soon as they have been reconditioned in Hamburg where they are now lying. Already two of these ships are in operation and the Custodian is getting the benefit of the tentative contract which has been negotiated with that Company and which will, of course, have to be confirmed by the Corporation when it is set up. Arrangements have also been tentatively made for the provision of expert advice in connection with the improvement of the railway, development of estates, improvement of the pier and so forth.

This whole subject has been under active discussion both here and in London for the past six months. Both the present and the last Secretary of State for the Colonies took a very deep interest in the matter. Mr Hall, who is now Lord Hall, spent a great deal of time discussing these proposals, criticizing them, and generally assisting in bringing them to a head. At the same time Mr Creech Jones, who is now Secretary of State, took a very deep interest and I had his assurance before I left London of his really sincere interest in this project, not merely as a matter for the Cameroons, but as breaking of new ground as to how certain Colonial territories might be rapidly improved for the benefit of the people who are indigenous to them. There have been certain questions in Parliament on the matter and those of you who might have seen references to these questions and the Secretary of State's answers, will have no doubt as to the depth and sincerity of his interest in these proposals.

It has also been a matter of considerable interest to His Majesty's Treasury and the Trading with the Enemy Department, and I hope that the stimulus which has been given from official quarters in England will not fail to find the necessary response here. It is desired that there should be rapid development of the Cameroons estates for the people of the Cameroons. There is a lot to be done to make good the omissions of the past. The Cameroons is, with respect to the Honourable Member representing it, a backward country. We need to do everything we can to improve the people, and stimulate them by educational and other facilities to take proper responsibility for their own country. It is submitted, Sir, that this proposal is a way in which it can be done.

The Honourable Member for the Cameroons and the Resident have both fully ventilated these proposals with the people of the Cameroons themselves, with the heads of the village Councils, and others, and I am informed that there is whole-hearted support. No doubt other speakers will make reference to that, giving their first hand experience, when we come to the Second Reading.

Now, Sir, this Bill, which I am now moving the first reading of, is simple. It empowers the Governor to purchase those lands. It simultaneously converts them into native lands and provides for the Governor leasing them to the Corporation notwithstanding the terms of the Lands and Native Rights Ordinance. It is a very simple Bill. The Schedule to the Bill will require considerable amendments. These have been circulated to Members today, and are the result of research which has been made by various people including a certain lady in the Cameroons, a certain officer in the Lands Department, and others during the last four or five weeks, and it is believed that Schedule is now accurate.

The other amendments are of minor consequence.

The Second Bill, which I hope to move immediately after this one is disposed of, will create the Corporation. It lays down the functions of the Corporation, its constitution and its powers, provides for borrowing money and generally covers the normal requirements of a Corporation of this sort. There is rather a long list of amendments to that Bill which arise largely from subsequent discussions and investigations after it was drafted. I might say that the Bill was drafted in something of a hurry in order that it should be circulated to Members at the last meeting of Council. Since then further negotiations have taken place with the Secretary of State and certain amendments and modifications have appeared necessary. None of these amendments is fundamental. They are all amendments in regard to the details and they are perhaps a little more formidable in appearance than they really are because there is a long list of renumbered clauses in order to bring them into a more appropriate sequence.

Your Excellency, I wish to assure Members that there is nothing deceptive in either of these Bills. The intention is genuine and straight forward and is to acquire these lands and put them back in the collective ownership of the people of the Cameroons; to develop them to the very utmost for the benefit of these people. There will be no European or any other shareholders. It is possible, however, that at a later stage when the Corporation has developed its estates that we shall be able to devise some means whereby the people of the Cameroons, particularly the employees, may be able to take out shares something on the lines of the shares in a Co-operative Society. That is the longer term intention and when the time comes will require further legislation. In other words we are doing everything we can here with the assistance, the expert assistance, of the white man to force, or shall we say to induce the African in the Cameroons to develop his own land for his own benefit. Everything will be done to bring forward those people, to train them to take on the higher jobs, and it is to be hoped that when the time comes, probably when we are all past and gone, that they will take over the full responsibility for themselves, when they have been brought to that level of development. The idea is to some extent an experimental model, and the results of it may well be applied if it proves to be a success, in some similar or modified form to other parts of the Colonial Empire. For that reason it is being very carefully watched, and will be very carefully watched by the Colonial Office and others at home as well and I am certain by the people in Nigeria.

I therefore, Sir, commend this Bill and the one that follows, to Members of this Council as a highly progressive piece of legislation, well suited to a backward yet fertile country. I put it before the House, Sir, with a feeling of assurance that Honourable Members will give it their full support. May I suggest, Sir, that it will be a very worthy final act of a Council, at its last session, to pass a highly progressive piece of legislation of this sort, so rounding off the very good work which it has already done in the last few years in connection with the future development of Nigeria.

Your Excellency, I beg to move.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to second.

Bill read a first time.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE CAMEROONS DEVELOPMENT CORPORATION ORDINANCE, 1946

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Your Excellency, I rise to move the first reading of a Bill entitled :

“ An Ordinance to provide for the establishment of a corporation to be known as the Cameroons Development Corporation, and for the control and development by the said Corporation of such lands, situate in the Cameroons under British Mandate, as may be made available for the said purposes by the Governor, and for purposes connected with the matters aforesaid ”.

Sir, I do not think I need say much more about this Bill. I have already explained it and would point out that the amendments which have been circulated to-day are all matters of detail which have been found necessary after the Bill was originally drafted. Perhaps the most important point of all is the authority which it gives to the Corporation to borrow one million pounds for development and working capital purposes. The amount originally put in was a token but one million pounds will be necessary.

Sir, I beg to move.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to second.

Bill read a first time.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE INTERPRETATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General :

Your Excellency, I rise to move the first reading of a Bill entitled :

“ An Ordinance further to amend the Interpretation Ordinance, 1939.”

If this Bill passes into law, it will as from the 1st of January next year effect two formal amendments to the Interpretation Ordinance which have been made necessary as a result of the new constitution. As Honourable Members are aware, the new consti-

tution will become effective as from the first day of January. The object of this Bill is to replace the references to the British Cameroons Order in Council, 1923, which appear in the definitions of the expressions "Cameroons under British Mandate" and "Northern Provinces" by appropriate references to the Nigeria (Protectorate and Cameroons) Order in Council, 1946.

Sir, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

The Hon. the Acting Attorney-General:

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE NATIVE COURTS (COLONY) (AMENDMENT) ORDINANCE, 1946

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

Your Excellency, I rise to move the first reading of a Bill entitled:

"An Ordinance further to amend the Native Courts (Colony) Ordinance, 1937."

Despite the apparent complexity of the legal phraseology, Sir, the objects are simple. Its aim is merely to provide for the Native Courts of the Colony, subject to the usual safeguards, the same powers as those held by the Protectorate native courts to hear and decide cases involving purely native law and custom. Under the provisions of the principal Ordinance litigants not only have the right to appeal in any type of case to the Magistrate's Court but they also have the power to demand the transfer of any case from the latter to the former at any stage of the proceedings. These provisions were apparently not fully realized by the people of the Colony for some years after the enactment of the Ordinance but in April 1942 an application for transfer was made from a native court in the Division of Epe and since that time an increasing number of such applications has been received. During the last two years twenty applications for transfer have been received from the Epe Division alone. It is not always realized, Sir, that except in the few urban areas of the Colony the people of the Colony are, from a political and cultural standpoint, more backward than many of the peoples of the Southern Provinces of the Protectorate. Their lives are guided by native law and custom and in the event of disputes they appreciate a rapid settlement based on knowledge of these customs and experience of local affairs, while they regard with some apprehension the inevitable delays and comparatively heavy expense of litigation in a Magistrate's Court. A remarkable fact about these applications is that all have been made by the defendants in the case and I have been assured by the District

Officer and a number of Native Authorities that young men in certain areas of the Colony are now openly boasting that they can defy the matrimonial laws with impunity through the agency of these sections of the law. I would submit that no court can function efficiently if at any stage in the proceedings either party to a case has power to render ineffective its orders and decisions, and there is no doubt that in the areas where the full implication of these sections is realized the authority and the prestige of the native courts have been undermined and the sanctity of the native marriage laws has lost a great deal of its hold on the people.

To particularise, Sir, section 19, sub-section 2 of the principal Ordinance, which it is proposed to amend by section 2 of this Bill, confers the right of transfer on either party at any stage of the proceedings. Section 22, which it is proposed to amend by section 3 of the Bill, gives the same right to an Administrative Officer on reviewing a case, while section 4 of the Bill is aimed at amending the right of appeal in all cases which are classified as cases of native law and custom, the definitions of which are clearly set forth in the Bill. The effect of this Bill, Sir, will then be to exempt all cases of purely native custom from the operation of these three sections. It will not affect the right of redress in cases of miscarriage of justice since Administrative Officers will have the same power to review as they at present have in the Protectorate, either on their own motion or on application from any party to the case. The only effect of this Bill will then be, Sir, to bring the present Ordinance in regard to appeals and transfers into line with the system in the Protectorate which has worked successfully for the last thirteen years.

Sir, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a first time.

The Hon. J. G. C. Allen (Acting Commissioner of the Colony):

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE 1945-46 SUPPLEMENTARY APPROPRIATION ORDINANCE, 1946

The Hon. the Acting Financial Secretary:

Your Excellency, I rise to move the first reading of a Bill entitled:

“An Ordinance to make Supplementary provision 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 forty-six.”

The object of this Bill, Sir, is to give statutory authority to the supplementary expenditure which has already been placed before

the Finance Committee of this House in respect of additional expenditure in the year 1945-46.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE CONDITIONS OF EMPLOYMENT AND WAGE-FIXING ORDERS IN COUNCIL (BENIN PROVINCE) (VALIDATION) ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I beg to move the first reading of a Bill entitled:

“ An Ordinance to validate certain Orders in Council purporting to have been made under the provisions of the Labour (Wage-fixing and Registration) Ordinance, 1943, after the same had been repealed by the Labour Code Ordinance, 1945.”

Sir, the history of the events which led to the presentation of this Bill before this Honourable Council is so clearly stated in the details of the preamble that I feel sure that no further introduction is called for from me.

I beg to move that the Bill be read a first time.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE PENSION (KENNETH BAYNTON FORGE) ORDINANCE, 1946

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to move the first reading of a Bill entitled:

“ An Ordinance to make special provision for the grant of a pension to Kenneth Baynton Forge.”

Mr Forge was employed in the Education Department and in his official capacity was a capable officer, a hard worker and a good teacher. Unfortunately the views he held and felt compelled to express on the manner in which the private life of an individual should be conducted were such as to be an embarrassment to his Department and to this Government and to make it impossible that he should remain in the service of Nigeria. It will be appreciated,

Sir, that this is a very difficult and unusual matter and it has been given considerable thought by Your Excellency, by your Executive Council and by the Secretary of State. It was decided in the end to accept Mr Forge's resignation but to award him a pension based on the Pensions Ordinance in relation to his service of eighteen years with this Government. At the time of his resignation he had attained the age of forty-four years whereas the European Officers Pensions Ordinance prescribes that no pension shall be paid to an officer until he attains the age of fifty years except in special circumstances which do not obtain in this case. The Bill before Council now, Sir, is essential in order to obtain sanction for the award of a pension.

Your Excellency, I beg to move.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

Bill read a first time.

The Hon. the Acting Financial Secretary:

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

THE SHIPPING AND NAVIGATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Director of Marine:

Your Excellency, I rise to move the first reading of a Bill entitled:

“ An Ordinance further to amend the Shipping and Navigation Ordinance.”

The object of the Bill is clearly set forth in the Objects and Reasons at the foot of the Bill and I beg to move that the Bill be read a first time.

The Hon. C. W. Reece (Acting Solicitor-General):

Your Excellency, I beg to second.

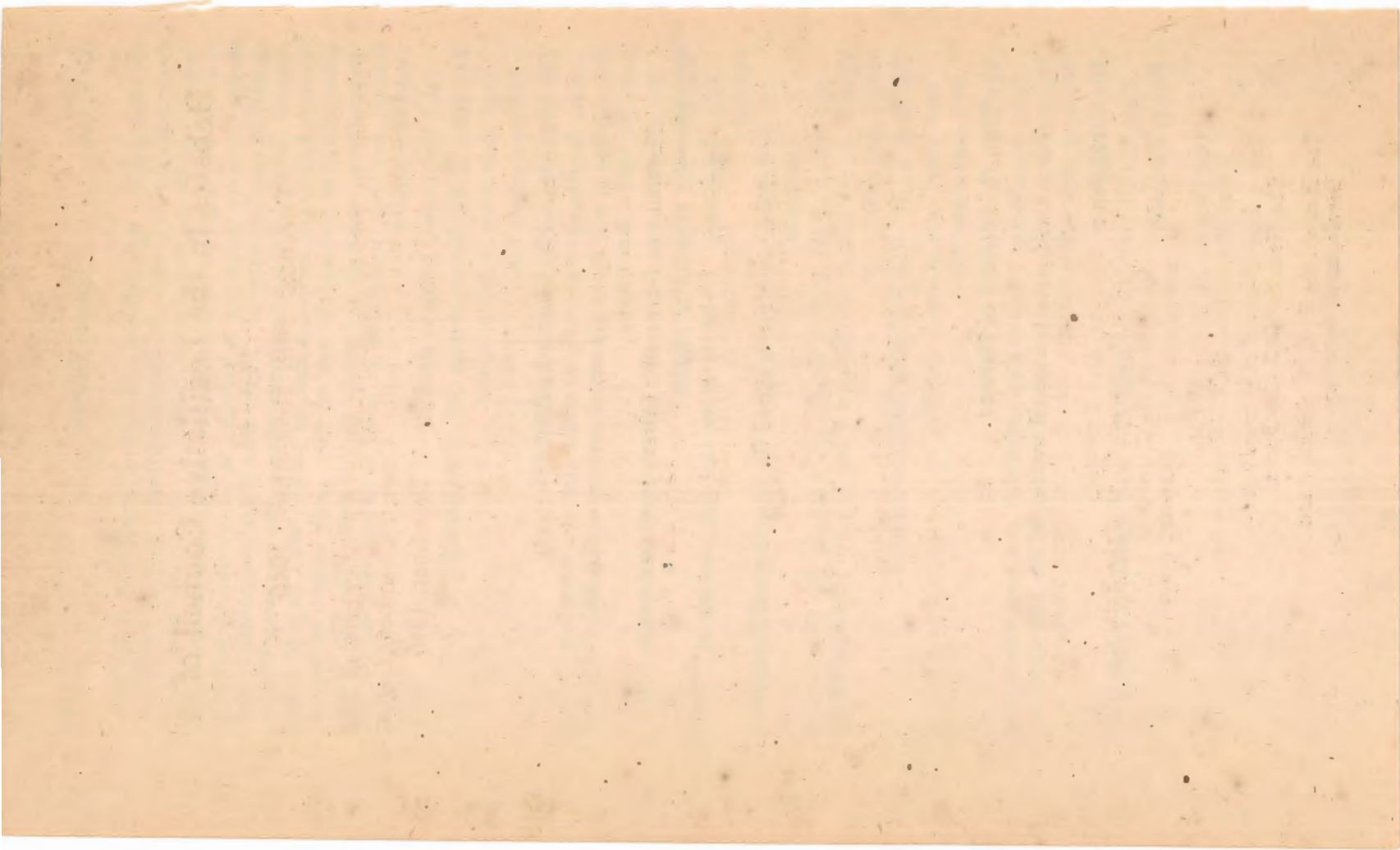
Bill read a first time.

The Hon. the Director of Marine:

Your Excellency, I beg to give notice that at a later date during this meeting I will move the second reading of the Bill which has just been read a first time.

His Excellency:

Council will now adjourn until 10 o'clock tomorrow Tuesday the 10th of December.



Debates in the Legislative Council of Nigeria

Tuesday, 10th December, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Tuesday, the 10th of December, 1946.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable G. F. T. Colby.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Acting Financial Secretary,
The Honourable A. W. L. Savage.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E., R.D.
R.N.R.
- The Comptroller of Customs and Excise,
The Honourable W. T. Martin.
- The Senior Resident, Niger Province,
Captain the Honourable B. E. Sharwod Smith, E.D.
- The Senior Resident, Oyo Province,
Lt.-Comdr. the Honourable J. G. Pyke-Nott, R.N.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning, C.M.G.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The First Lagos Member,
The Honourable E. Ikoli.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable Jesse Ogboru.
- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Cancn S. A. Delumo.
- The Commercial Member for Port Harcourt.
The Honourable W. V. Wootton.
- The Member for Ijebu Division,
The Honourable T. A. Odutola.
- The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable E. A. Miller,
Commissioner of Labcur.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable T. V. W. Finlay,
Commissioner of Police.

- The Honourable F. S. Collier,
Chief Conservator of Forests.
- The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
- The Honourable P. W. Adshead,
Accountant-General.
- The Honourable C. W. Reece,
Acting Solicitor-General.

ABSENT

OFFICIAL MEMBERS

- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompstone, C.M.G., M.C.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS.

- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

EXTRAORDINARY MEMBER

- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

PRAYERS

His Excellency the Officer Administering the Government opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 9th of December, 1946, having been printed and circulated to Honourable Members, were taken as read and confirmed.

QUESTIONS

NOTE.—Replies to Questions Nos. 48 and 123 by the Honourable the Third Lagos Member; Nos. 127, 130-132 by the Honourable the Second Lagos Member; No. 172 by the Honourable the Third Lagos Member; Nos. 218 and 221 by the Honourable the Member for Calabar; No. 231 by the Honourable the First Lagos Member; No. 242 by the Honourable the Member for the Ijebu Division; No. 252 by the Honourable the First Lagos Member; Nos. 256-258 by the Honourable the Third Lagos Member; Nos. 262 and 263 by the Honourable the Member for the Oyo Division; No. 273 by the Honourable the Member for the Ijebu Division; No. 277 by the Honourable the Third Lagos Member are not yet ready.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

213. To ask the Chief Commissioner, Northern Provinces:—

(i) (a) What is the estimated and actual cost of the building of the Hostel at Jcs, officially designated Jos Hill Station, and at whose expense was it erected?

(b) How much does it cost annually to maintain?

(c) How much did it cost to furnish?

(ii) Is the Hostel being run at a profit? If the reply is in the affirmative, will His Honour the Chief Commissioner place at the disposal of this Honourable Assembly details of its efficient administration? If the reply is in the negative, will His Honour explain why?

(iii) Will the Chief Commissioner, Northern Provinces, please arrange for the African Unofficial Members of this Honourable House (at least those who are so inclined) to pay an Official visit of inspection to this Hostel?

Answer—

The Hon. the Chief Secretary to the Government:

(i) and (ii) The information required in respect of the position as at 31st March, 1945, was published in Statement 17 of the Report on the accounts and finances for the year 1944-45 which was laid on the table of the Legislative Council as Sessional Paper No. 7 of 1946.

Further details of profits and losses to the above date were set out in Finance Committee Memorandum of 5th July, 1945.

The outturn for the year 1945-46 reflected a loss of £552 and consideration is being given to a further increase in charges.

(iii) Arrangements can be made for a visit of inspection by any Honourable Member who so desires.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

243. To ask His Honour the Chief Commissioner, Western Provinces:—

(a) Is it a fact that round about October last year a sum of about £50, forming part of a month's salaries for the Ijebu Native Authority Police was removed from a room in the Charge Office of the Ijebu Native Authority Police, Ijebu Ode? If so,

(b) Has responsibility for the theft been established beyond reasonable doubt? If so, what penalty has been inflicted on the person or persons found guilty?

(c) What measures have been, or are proposed to be, taken to prevent a recurrence of such incident?

Answer—

The Hon. the Chief Secretary to the Government:

(a) Yes, Sir.

(b) No, Sir. Three persons including the Lance-Corporal in charge of the Police station at the time were arrested on a charge of stealing but were subsequently acquitted by the Magistrate. Disciplinary action was subsequently taken against the Lance-Corporal for negligence and he has since been dismissed.

(c) A cash tank has now been provided for the Oga Olopa and in no circumstances is he allowed to hold overnight any balance of salaries unpaid.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

246. To ask the Honourable the Chief Secretary to the Government:—

(a) Inviting attention to the crying need of the Okeagbo, Ijebu Igbo farmers in Ijebu Province for land for farming and, incidentally, livelihood earning purposes, will Government be favourably disposed to release part of one of the Government Reserves at Ehin Osun to satisfy the people's 'land hunger'?

(b) If not, why not?

Answer—

The Hon. the Chief Secretary to the Government:

The question will be investigated and the results communicated to the Honourable Member.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

247. To ask His Honour the Chief Commissioner, Western Provinces:—

Considering the importance of the Ijebu-Igbo and Ijebu Water-side areas as Administrative units in the Ijebu Province, and with a view to establishing more regular administrative touch therewith, will Government kindly give necessary directions for the provision of increased Administrative Staff for the Provinces to be kept in view as from now, so that resident or part-time junior Administrative Officers may be posted to the areas mentioned above?

Answer—

The Hon. the Chief Secretary to the Government :

The posting of full time Administrative Officers to Ijebu-Igbo and Ijebu Waterside areas would not be justified. Ijebu-Igbo is only 10 miles from Provincial headquarters and is regularly visited by an Administrative Officer. The Ijebu Waterside area will be easily accessible when the Benin-Lagos Road is through and when a Marine launch is available. Provision for a launch has been made in the Estimates for 1947-48.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

265. To ask the Honourable the Director of Public Works:—

(a) How many Building Contractors are registered in his Office to serve the Lagos Community—European and African?

(b) What are the Qualifications required of a Contractor before he could be registered?

(c) Has he any examination or test to pass to place him on the qualified list?

(d) Are Certificates issued to Building Contractors to assure the public of their efficiency?

(e) If the answers to the above are in the negative, will the Honourable the Director of Public Works Department not recommend to Government in the interest of the public and Government to consider the pressing necessity of passing an Ordinance to legalise Contractors to serve the public as builders?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Two Europeans and thirty-two Africans.

(b) The qualifications are proved ability to carry out work in a satisfactory manner.

(c) and (d) No, Sir.

(e) It is not considered practicable to introduce legislation as suggested.

The Member for the Colony Division (The Rev. & Hon. T. A. J. Ogunbiyi, O.B.E.):

271. To ask the Honourable the Chief Secretary to the Government:—

(a) Will Government make a pronouncement about the future of Rubber Industry in Nigeria?

(b) Is Government aware that some farmers have begun to destroy rubber trees to plant Cocoa the price of which has now gone up?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir. A statement has been issued.

(b) No, Sir.

The Member for the Egba Division (The Rev. and Honourable Canon S. A. Delumo):

274. To ask the Honourable the Chief Secretary to the Government:—

(a) Whether the Commissioner of Labour is aware of the inconvenience to which farmers are subjected for want of labourers in agricultural areas?

(b) If so, whether he will put into consideration ways and means of supplying these areas with labourers?

(c) Whether the wages claimed by the few labourers available could not be regulated in a manner not harmful to the two parties concerned (*i.e.*, the farmers and the labourers)?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Yes, Sir.

(b) When requests have been made to the Lagos Employment Exchange for agricultural labour, such requests have been brought to the notice of unemployed labourers. It is hoped that the opening of Employment Exchanges at Ibadan and Benin will facilitate the recruitment of labour for agricultural areas.

(c) Minimum wage fixing orders have already been made in respect of the rubber industry in Benin Province and the question of appointment of Labour Advisory Boards to enquire into conditions of service in other branches of the agricultural industry are under consideration.

The Member for the Egba Division (The Rev. and Honourable Canon S. A. Delumo):

275. To ask the Honourable the Chief Secretary to the Government:—

(a) What relations has the Harragin Commission's Report to the Native Administration Service Conditions?

(b) Whether the altered conditions recommended for the Nigerian Government Officials apply equally to the Native Administration Staff?

Answer—

The Hon. the Chief Secretary to the Government :

(a) Native Administration service conditions do not come within the terms of reference of the Harragin Report which is concerned only with Government established staff.

(b) The application of all-or any of the recommendations of the Report to Native Administration staff is primarily a matter for decision by the Native Authorities whose views on this question are not yet known.

The Third Lagos Member (Dr. the Hon. Ibiyinka Olorun-Nimbe):

276. To ask the Honourable the Director of Education:—

(a) How many Nigerians and Cameroonians applied for Government Scholarships in the year 1945?

(b) What were their names, educational qualifications and places of birth?

(c) How many of them were awarded Government Scholarships, their names, educational qualifications and the nature of the award?

(d) Will the Honourable the Director please give for information of this Honourable House, the names and educational qualifications of the unsuccessful applicants?

Answer—

The Hon. the Director of Education :

(a) 357.

(b) and (d) It is regretted that it has not been possible in the time and with the available staff to compile the data sought by the Honourable Member.

(c) The Honourable Member's attention is invited to Government Notices Nos. 706 and 1177 which were published in the *Nigeria Gazettes* Nos. 32 and 52 of the 6th of June and 19th of September, 1946, respectively. The first seventeen names given in the first of these notices and the name given in the second are those of persons who were awarded open as distinct from departmental scholarships. The nature of the awards is also stated in the notices. As regards educational qualifications see the reply to (b) and (d) above.

BILLS

(Second and Third Readings)

THE EX-ENEMY LANDS (CAMEROONS) ORDINANCE, 1946

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Your Excellency, I rise to move the second reading of a Bill entitled:

“ An Ordinance to facilitate the acquisition by the Governor of certain lands in the Cameroons under British Mandate, to declare the same to be held by the Governor for the use and common benefit of the inhabitants of the said Territory, to enable the Governor to grant leases of the said lands in order to ensure the cultivation and development of the same, and to provide for purposes connected with the matters aforesaid ”.

Before, Sir, making any further remarks on this Bill, I should like to draw attention to two misstatements which have been made in this morning's Lagos press. The inference has been made that these lands, which are the subject of this Bill, when purchased by Government will be made into Native lands, and then leased to Government. Two newspapers have inferred in their articles this morning that this is what will take place. These statements are most emphatically wrong. No suggestion has ever been made that these lands, when converted into Native lands, will be leased to Government; they will be leased to the Corporation which will be set up under the second Bill which is before this House. I trust, Sir, that the particular newspapers will take appropriate steps to right the wrong impression which today's articles may have given to the public.

In moving the second reading of this Bill I would draw the attention of the House to three amendments which it is proposed to deal with in Committee and which are contained in the printed slip which has been circulated. The first two amendments are only minor points in connection with amendments necessarily due to the draftsmanship.

The third amendment is the revision of the Schedule on the lines described yesterday, and in order to bring it up-to-date as a result of researches which have been made into the titles of the estates concerned.

His Honour the Chief Commissioner, Eastern Provinces :

Sir, I beg to second.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Your Excellency, I would like to make a few observations on these Bills. For convenience's sake, I will call them the Cameroons Bills. It seems more convenient and suitable not to separate them when addressing the House—one is designed to accord His Excellency the Governor power to facilitate the acquisition of certain lands in the territory of the Cameroons under British Mandate. These lands are set out in detail in the Schedule attached to the first of these Bills—the Ex-Enemy Lands (Cameroons) Bill. The second Bill is designed to provide for the establishment of a Corporation known as the Cameroons Development Corporation for the purpose of controlling and developing the lands to be acquired under the former Bill. This development is intended, Sir, for the interest and *well being* of the inhabitants of the Cameroons. Your Excellency, when these Bills were first handed to us at the last Session of this Council, Mr Pleass, the then Honourable Acting Development Secretary requested Members on this side of the House to have interviews with him, either collectively or individually, in order that we might confer together and see what elucidation and explanation he could give on the implications and intentions of these Bills. Some of us read these Bills with a certain amount of apprehension, probably due to the newness shall I say, strangeness of the gestures of these Bills. At first glance the provisions of these Bills seemed too good to be readily believed and credited, and therefore some of us came to this Council with so many questions to shoot at the Honourable the Development Secretary, and one of my several questions was to ask about the conditions under which the Germans originally acquired this property. If the answer is that it was acquired from the people of the Cameroons, I would further ask why the Governor does not negotiate directly with the people of the Cameroons, or the owners of the land, instead of with the Custodian of Enemy Property. That assumes, of course, that the Germans had leases from the people of the Cameroons. I can understand that the Custodian of Enemy Property has every right to dispose of such German owned properties as houses, machineries, railways, etc., found on the land, but I cannot appreciate, Sir, how

interview we had with the Honourable Development Secretary yesterday, certain questions were put to him; all were fairly satisfactorily answered except one or two. I think, Sir, that if the Bill was intended for the benefit of the people of the Cameroons—assuming that they are to take over the running of the Plantations themselves—Government should make a sincere effort to train them so that in sixty year's time they would be able to take over the running of the Plantations.

There is no need whatsoever for Government to lease the Plantation to the Corporation for a period of ninety-nine years with an option of a further lease for another ninety-nine years. That, I submit Sir, would amount to slavery in perpetuity. I therefore support the submission of the Honourable Member for the Calabar Division, that the period of leasehold be reduced to sixty years. I thank you Sir.

The Member for the Cameroons Division (The Hon. J. Manga Williams):

Your Excellency, I feel it is my duty to say a few words in connection with this very interesting business regarding my country. There are so many places where you find communities formed of people from various tribes and countries and because they have settled there and become men of wealth and importance, they assume greater rights than the indigenous natives, but as I am standing here, I can assure you that I have been born in that country, brought up there and in looking at my head you will prove that am not a young man who has time to play tricks. It is a true saying that "Time confuses facts" and if I send back my memory to the years of 1884 and beginning from 1880-1890 onwards, you will agree that there have been so many changes that have taken place. I can remember having known Sir Harry Johnston. He was acting as British Consul, resided in the Mondoli Island. He used to come on shore to visit the Mission and see the Baptist Missionaries then and we as boys used to take milk to the Island for him. So I am not being told, or letters being written to, but witnessed the incidents myself and feel naturally a reliable Authority to tell you what I have seen and what I know of my country. I should also be pleased if am allowed to tell you how the Political Constitution of the Victoria Division in the Cameroons Province has been arranged.

We have a Federated Council in Victoria and this Council consists of Seven Group Councils whose representatives come from the Coastal Villages of the District. Each of the Group Council is represented by three or four members at Victoria, where the Federated Council hold its meetings monthly and discuss matters concerning the District and Division. During our Meetings we are left to ourselves to work without interruption, except on special occasions when the District Officer or the Resident may like to meet us for discussion of important matters. Apart from the Federated

Council, there is also a Divisional Council at which the whole Division, Victoria, Bakweri and Balong Native Administrations are fully represented. If the people are well represented, one cannot say that they are ignorant of what is going on.

Now, going back to the question of the Bill in connection with the disposal of the plantations which is just before us and the proposal that the Governor be authorised to spend a certain amount for the buying of all the plantations and to convert them into use under Native Lands and Rights Ordinance whereby a Corporation will be formed to run them for the benefit of the inhabitants; the whole scheme has been explained to the people—not in English but in my own Native Language. This Bill has been welcomed by all the people. Of course now a days Political Leaders are introducing words and names of parties to the African, which by adoption causes good or bad at times; the word "Democracy" has brought about a great confusion, because as I have said, the people who are representing the country in the Federated and Divisional Council, also in the Provincial meeting, should be regarded as the proper organ to talk for their country and whose interest is doubtless for the welfare of their country; but because a boy has been taught to read and write he thinks he knows better and would teach the chiefs and elders what they should do while trying to over-rule and ignore them. This must of course be tolerated since it has been introduced, but most of the people are adopting measures and claims, not for the general benefit, but to suit their personal ambition; though they are not the proper people to talk, but because they would become the chiefs and rulers. As I told you yesterday I was born and brought up within this area, where so many plantations are existing. One of the first plantations was Bimbia Plantation also called Man of War Bay Plantation, which is one of the first plantations in the Cameroons and I can remember that my father helped in giving labourers to this plantation. I saw the opening of it, how it flourished and up to its present condition. If you look up the schedule you will find that most of the plantations are in the Victoria Division and that confirms that I must have known so much about their beginnings and should be greatly interested in them.

Now it is true that while time confuses facts it brings blessings in various ways and it is for the man on whose door the blessings knock to open his door and let them come in.

Now it is true Time waits for no man. Time brings blessings in various ways and it is for the man at whose door the blessings tap to open the door and takes the blessing.

We can imagine how much these plantations are valued. They are no small business. It was a very big concern that each of the owners of those plantations were running. It gave them head-breaking times in their management. The keeping of the labourers, the disposal and evacuation of the products, shipping and many other things in connection with the maintenance of those plantations

were very hard and tedious. These plantations have been forfeited and we know that this has not been so easy?

Had the 1914 War not come, my country could not have dreamt of any claims on those estates. The land is ours, was ours and we want those plantations to become our property.

If the last war had not taken place, there would have been no question of my people stepping forward and making claims on the plantations and lands within those estates.

And had they made any claims before the last war, I do not think that any law could have helped them in getting back those plantation and lands.

If the Government has been so kind and considerate in helping us by buying those estates and declaring them to become Native lands and work them with the intention that the profits be spent for the benefit of the people attached to those lands, I think one could not have considered a better way but to welcome the proposal.

Now as we have just said, the Corporation, as stated in the Bill will run the plantations for the benefit of the inhabitants of that place and if this Bill is regarded as a true Bill, I believe we should have nothing more to say. Especially if we believe that Government or the Corporation will work for us and get us sufficient money for the development of our country and the training of our children in all the required branches of business and in time to come to become partners in the Corporation and co-operate in the business, it is a most favourable proposal for it is certain, we cannot do that to-day ourselves.

Some time ago I had a talk with somebody concerning these Plantations and I asked him, "Can we raise enough money to buy all of these Plantations?" The question was put to the Cameroonians and not to Nigerians. They answered that it was an impossibility. Should we now get the money so easily and get back our lands, I don't think I can do otherwise but to appreciate the offer. I hope that the children and the people of the Cameroons should realise that it is high time for them to work hard to acquire the required education and be able to occupy the various departments of life in the progress of their country and not to sit down talking, writing papers, so that in the near future their children and grandchildren will have occasions to thank the Richard's Government for what it has done for them.

I also wished to tell you that on my arrival here in October, I received a letter from the Bamenda Chiefs, signed by all the prominent Chiefs and Rulers who are now Members of the Provincial Council Meeting. They stress on higher education and would offer to build schools if Government will provide teachers.

We are having the Development Scheme in the Ten years Plan, where provision has been made by Government. I have been working hard in our Native Administration to convince them to make provision in their Annual Estimates to be set aside for scholarships

to send our boys overseas, and to various training Institutions and should we in addition be privileged to enjoy the profits from these Plantations, we shall be able to realise the great blessings showering on us and I shall also have to thank God for granting me to see the beginning of our progress and welfare of the Cameroons if all of these proposals will come together at this time, before I go. If the Cameroons will lose this chance then they should be counted as hopeless.

You will find from my speech that I very much support the proposal and the Bill and I hope that though there may be one or two little things seeming to be unfavourable, they can be overlooked that we get down to business and waste no time on trivial matters.

I have to thank the Government for this preparedness in the reclaiming of our lands, also the Development Secretary for all pains taken in making arrangements and approaching big expert business men for the assistance and benefit of the success of the Corporation so that in time to come we shall gain instead of losing in this great enterprise. I shall also be grateful to this Council if they will help us in supporting this Bill.

With these remarks, Your Excellency, I beg to close.

The Member for the Ondo Division (The Ven. & Hon. Archdeacon L. A. Lennon, M.B.E.):

Your Excellency, I rise to support the Bill and in doing so I want to say a big word of thanks to the Development Secretary for bringing this forward; and I do not think we should waste time in discussing it. I think we have had enough from the Member for the Cameroons. The question is "to be, or not to be" and I think it is "to be". We should all support it. All I have to say is that I hope the development of the Cameroons will not screen the development of Nigeria to which we are looking forward. We seem to be beginning at the other end of the stick, we thought we would be beginning from Lagos but we seem now to have gone to the Cameroons. However, we are hoping that the development of the Cameroons will encourage and accelerate the development of Nigeria. I do not want to touch on this much, Sir, but we all know we are getting impatient about this Development business and we are asking that Government will not only give consideration to the Cameroons but get the whole thing moving, and let us see good and early development in Nigeria.

I support the Bill and congratulate the Development Secretary for bringing it forward.

The First Lagos Member (The Hon. Ernest Ikoli):

Your Excellency, I should just like to say a few words, Sir. The Member for Calabar has said all there is to say about the acquisition of lands. The only thing I have to add, Sir, is that I am very, very proud that this scheme is being sponsored by Nigeria. We

hear a great deal about capitalists all over the world and their industrial schemes for Africa. We are sure that if this scheme becomes a success it will lead to the industrialization of this country without any outside capitalists coming in.

I strongly support the Bill and I do hope that when we have successfully experimented on the Cameroons we can get together and do something similar in the more backward areas of Nigeria. Sir, I beg to support.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Your Excellency, I was flattered at the very excellent reception which this Bill has been given by the other side of the House and I would like to thank those Honourable Members who have made personal remarks for their kindness.

There are one or two points on which a reply is needed and I take it, Sir, that we shall have to consider that Standing Orders are temporarily suspended so that I can reply also to points raised on the Bill which is next on the order of the day.

The Honourable Member for Calabar pointed out that under section 4 of the Bill, as it still stands, provision is to be made for education and various other welfare facilities for the employees of the Corporation but that no provision is made for the people of the Cameroons generally. May I draw his attention to the proposed amendment to clause 13 which says:—

“The annual profits of the Corporation, after the Corporation have made such allocations as they deem necessary or expedient for meeting their obligations, and for discharging their functions under this Ordinance, and after they have set aside such sum or sums as they deem necessary or expedient by way of general or special reserves, shall be applied for the benefit of the inhabitants of the Cameroons under British Mandate in such manner as the Governor may determine.”

That is intended to cover welfare and development facilities for the whole of the Cameroons. Incidentally, it is necessary and desirable that such facilities should, in the first instance, be concentrated around the Corporation's own estates in order to develop those estates in the best possible way. I may say, however, that the Bill does not preclude the Corporation from extending its activities to other parts of the Cameroons in the event of the people there wishing it so to do, so that the whole of the Cameroons will benefit. I trust, Sir, that that point is now clear.

In regard to the point raised by the Honourable Member for the Cameroons—the increase of reserves. That, I think, I have already mentioned in my speech yesterday. Native reserves around native villages will be increased where it is considered necessary for providing them with adequate farming land. That is a subject which is being investigated by the Resident and the Chief Commissioner at the present time.

With regard to the selling of the crops of the small people, I have no doubt that the Corporation will give every facility possible and in that respect I would refer the Honourable Members to the proposed amendment under clause 4 on the sheet which was circulated yesterday to "encourage the establishment and development of co-operative societies by employees of the Corporation and grant facilities and assistance to such societies". It is the intention, therefore, to assist the people in every way we can to dispose of their produce. I do not say that we shall assist them to dispose of bananas which they may not have grown themselves; I say this, having lived in a country before where bananas are grown and where it has been known that estate owners have had to purchase their own bananas back from their employees. Naturally, it will be necessary to take adequate steps to protect the Corporation from that practice.

Finally, Sir, there is a point raised by two Members at the informal meeting we had yesterday and again this morning, that is the terms of the lease. I rather fancy, Sir, that there is a little misunderstanding on the other side of the House in respect of this lease. Objection was raised to the lease being for ninety-nine years with continuous option of renewal on the basis that before the ninety-nine years had expired the people of the Cameroons should be in a position to handle their own affairs. Well, I think, Sir, that perhaps the misunderstanding is in respect not of the lease but in respect of the Bill establishing the Corporation. In other words, I think that Honourable Members on the other side agree that these lands must continuously be used for the benefit of the Cameroons but I think that Honourable Members believe that in sixty years the people of the Cameroons will be sufficiently advanced to handle their own affairs. I interpret it that way and if by reducing the terms of the lease to sixty years, subject, however, to continuous option to the Corporation for the renewal of that lease, would ease the minds of Honourable Members, I am quite sure that Government will agree to it. In actual fact it will not make any difference except perhaps that at the end of sixty years it will help to bring matters to a head in regard to the reconstitution of the Corporation so that it then becomes an elected body or something of that sort. So that subject to the Corporation being given a continuous option of renewal, I think that Government will agree to reduce the terms of the lease to sixty years.

I think, Sir, that that completes the answers to all the points on the other side and once more I thank Honourable Members for the good reception which these Bills have been given.

Bill read a second time.

Council in Committee.

Enacting Clause.

Clause 1.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Clause 1, Sir. I beg to move that the word "proclamation" in the third line be deleted and the word "notice" be substituted therefor. It is usual in Nigeria to proclaim these Bills by notice and not by proclamation.

Amendment approved.

Clauses 2-5.

Schedule.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

The schedule, Sir. I rise to move that the schedule as shown in the Bill be deleted and a new schedule substituted therefor as follows:—

SCHEDULE

Serial No.	Description	Area in Hectares	Particulars of plan filed in Survey Department, Lagos
1	<i>Bibundi Estate.</i> —(Includes Isongo, Mokundange and Esobi). On sea-coast south-west and west of Cameroon Mountain adjoining Idenau Estate. Victoria Division.	13,415	BUE. C 172 and 173.
2	<i>Oechelhausen Estate.</i> —Situated on the south-west side of the Cameroon Mountain. Bounded on the west by Isongo. Victoria Division.	2,094	BUE. C 174
3	<i>Debundscha Estate.</i> —On sea-coast west side of Cameroon Mountain. Bounded by Isongo Estate on the south and Bibundi Estate on the north. Victoria Division.	1,756	BUE. C 177.
4	<i>Molivo Estate.</i> —South-east of the Cameroon Mountain. Victoria Division.	12,595	BUE. C 160.
5	<i>Misselle Estate.</i> —North-east of Victoria, near Keme, between Mungo River and adjoining creeks. Victoria Division.	2,445	BUE. C 159.
6	<i>Mukonje Estate.</i> —North-east of Cameroon Mountain. Fronting the Mungo River. Kumba Division.	2,518	LUM. C 1.
7	<i>Malende Estate.</i> —At Malende fronting on the Mungo River. Victoria Division.	85.6	BUE. C 41.
8	<i>Esosong Estate.</i> —In the Bakossi Hills north-east of Cameroon Mountain. Kumba Division.	528.95	BUE. C 97
9	<i>Mongonge Estate.</i> —On the western side of the Cameroon Mountain. About 7 miles north of Idenau Estate. Victoria Division.	500	BUE. C 29.
10	<i>Njoke Plantation.</i> —On the west side of the Victoria-Kumba road about 35 miles from Victoria. Fronting the Mungo River. Victoria Division.	11,068	BUE. C 145.
11	Trading site on the Buea-Soppo road at Buea. Victoria Division.	.98	BUE. 15.
12	Trading site at Buea. Victoria Division	1,304	BUE. 21.
13	Residential site at Buea. Victoria Division	.971	BUE, 20.

Serial No.	Description	Area in Hectares	Particulars of plan filed in Survey Department, Lagos
14	Trading site at Bimbia. Victoria Division	1,456 sq. metres	BUE. C 188.
15	Trading and residential site at Bimbia. Victoria Division.	1,135.24 sq. metres	BUE. C 188.
16	<i>Victoria-Molyko Estate.</i> —(Lisoka Soppo—Victoria farms). Extending from Victoria and Bota westward to Soppo in the north and to the south boundary of the Ekona Estate. Victoria Division.	9,819	BUE. C 155A and 154.
17	<i>Bimbia-Mabeta Plantation.</i> —East and north-east of Victoria. Fronting Man-of-War Bay. Victoria Division.	4,485	BUE. C 189.
18	<i>African Fruit Estate.</i> —South-east of Cameroon Mountain. Bounded on the west by the Buea-Tiko road. Victoria Division.	(a) 1,468 (b) 3,458 (c) .6	BUE. C 223.
19	<i>Holtfoth Estates.</i> —At Tiko. Victoria Division. (Three parcels).	(a) 199.07 (b) 206.09 (c) 248.31	T. 11.
20	<i>Ombe Estate.</i> —On the western Tiko plain, about 6 miles from Tiko. Victoria Division.	244.12	BUE. C 4.
21	<i>Bavo-Bonge Estate.</i> —North-west of the Cameroon Mountain, on the north bank of the Meme River. Kumba Division.	1,254.8	BUE. C 114.
22	<i>Ikassa Estate.</i> —North-west of the Cameroon Mountain, on the right bank of the Ndian River near the village at Ikassa. Kumba Division.	695.596	BUE. C 137A.
23	Two parcels of land at Etoki near Etoki village on the right bank of the Massake River. Kumba Division.	(a) 1.098 (b) 10.406	IKG. C 7.
24	Plot at Kumbe. On the right bank of the Meme River between Lobe and Bonge. Kumba Division.	570.16	KBA. 2.
25	Plot at Kitta. On the shore of the Ikan creek south of Kitta village. Kumba Division.	25.03	BUE. C 121.
26	Plot at Ekundu-Etitti. On the bank of the Ekundu-Etitti River. Kumba Division.	78.34	BUE. C 109.
27	<i>Illoani Estate.</i> —Near Illoani village on the left bank of the Meme River. Kumba Division.	6,394.93	BUE. C 107 and 108.
28	<i>Likume (Dikume) Estate.</i> —Near the villages of Likume and Konde. Adjoins Illoani. Kumba Division.	3,124.66	BUE. C 115.
29	Plot of land at Matuttu. At the point of confluence of the Meme and Mongossie Rivers. Kumba Division.	1.00	IKG: C 9.
30	<i>Balundu-ba-Boa Estate.</i> —Near Bungo village Close to Illoani Estate. Kumba Division.	1,220.75 800.29	BUE. C 112.
31	Land near Bonjarri village. Close to the plot at Matuttu. Kumba Division.	582.5	BUE. C 110.
32	<i>Mbongo (Bungo) Estate.</i> —Adjoins Balundu-ba-Boa Estate. —Kumba Division.	1,300.32	BUE. C 111.
33	<i>Mondemba (Mundimbia) Estate.</i> —Close to Ndian village. Frontage on the Ndian and Mandemba Rivers. Kumba Division.	2,396	BUE. C 138.

Serial No.	Description	Area in Hectares	Particulars of plan filed in Survey Department, Lagos
34	Plot of land at Kumba. Adjoins the Ikiliwindi road on the south-east. Kumba Division.	.38	KBA. 1.
35	Two plots at Bongo-Malomba, near the village. Kumba Division.	.262 .109	BUE. C 119.
36	Plot of land at Ikassa, near the village. Kumba Division.	About .51	Not surveyed.
37	Trading site at the mouth of the Boa creek. Kumba Division.	About 1.54	Not surveyed.
38	Trading and residential site at Bwenga Beach. Victoria Division.	1,981 sq. metres	BUE. C 179.
39	Plot of land at Buea. Victoria Division. On the west of the road from Soppo to Buea.	.92	BUE. 15.
40	Plot of land at Buea. Victoria Division ..	1.06	BUE. 15.
41	Plot of land at Buea. Victoria Division ..	875.9 sq. metres	BUE. 15.
42	<i>Eisenbahn Tobacco Lands.</i> —Tombel Kumba Division. Three parcels Kumba Division.	(a) 2,074.767 (b) 2,334.572 (c) 1,866.973	TBL. 4. KBAC. 4.
43	<i>Ituka Estate.</i> —East of Matamani village. Adjoining Moliwa and Ndiva-Nekeke Rivers. Kumba Division.	1,060	OBN. C 1.
44	<i>Matamani Estate.</i> —Adjoining the Etuka district on the west, Mudemba village on the south and south-west and Ndiva-Nekeke rivers on the north. Kumba Division.	430.36	BUE. C 139.
45	<i>Idenau Estate.</i> —Sea-coast south-west of Cameroon Mountains and about 40 miles from Victoria. Victoria Division.	4,017	BUE. C 169.
46	<i>Meanja Estate.</i> —On lower north-east slopes of Cameroon Mountain. Fronting on the Mungo River. Victoria Division.	5,586	BUE. C 168.
47	<i>Mundame Estate.</i> —(Bakossi Syndicate Land) (Two portions) north-east of Cameroon Mountain, west of Mundame village and south of Mukonje estate. Victoria Division.	(a) 2,099.34 (b) 664.86	KBA. C 3 and 5.
48	(a) <i>Munyange Estate.</i> —At Munyange south of the Meme River. On the western side of the Cameroon Mountain. About 13 miles north-east of Idenau Estate. (b) Landing place on the Meme River. Kumba Division.	(a) 2,090 (b) 1	KBA. C 21. KBA. C 7.
49	<i>Ekona-Mpundu Estate.</i> —Between the Moliwe and Meanja Estates. Victoria Division.	5,430	BUE. C 88.
50	<i>Ndobe (lobe) Estate.</i> —Near Lobe village, bounded by the Lobe, Ekundu and Ekike creeks. Kumba Division.	2,905.506	BUE. C 122.

Amendment approved.

Preamble.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to move that the words "by purchase" be inserted after the word "acquired" in the second line of the second paragraph of the preamble.

Amendment approved.

Title.

Council resumed.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Your Excellency, I beg to report the Bill from Committee with three amendments. I beg to move that the Bill, as amended, be now read a third time and passed.

His Honour the Chief Commissioner, Eastern Provinces:

Sir, I beg to second.

Bill read a third time and passed.

THE CAMEROONS DEVELOPMENT CORPORATION ORDINANCE, 1946

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Your Excellency, I rise to move the second reading of a Bill for:

"An Ordinance to provide for the establishment of a Corporation to be known as the Cameroons Development Corporation, and for the control and development by the said Corporation of such lands, situate in the Cameroons under British Mandate, as may be made available for the said purpose by the Governor, and for purposes connected with the matters aforesaid."

I think that there is nothing more I can add at this stage; Sir. The explanation to the various proposed amendments will be given in committee but I would also point out that it is proposed to make a considerable number of amendments in the numbering of the clauses in order to bring them into a more suitable sequence.

Sir, I beg to move.

His Honour the Chief Commissioner, Eastern Provinces:

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enacting Clause.

Clause 1.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to move that the word "Proclamation" in the third line of clause 1 be deleted and replaced by the word "notice" as in the previous Bill.

Amendment approved.

Clause 2.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I rise to move two amendments firstly that the words "April 1947" be deleted from line three and replaced by the words "January", and secondly that the words "1st day of April, 1947" in the fifth line be deleted and replaced by the words "31st day December, 1947 inclusive". The reason for these amendments are first of all that a slight mistake was made in inserting the words "1947" after April in the first instance, because it would be April and January of every year, and the other point is that from the point of view of the Corporation it is more suitable that the financial year should run from the 1st January to the 31st December.

Amendment approved.

Clause 3.

Clause 4.

The Hon. F. E. V. Smith, C.M.C. (Development Secretary):

Sir, I have several amendments to make to clause 4: Paragraph (d) I move that this paragraph be deleted and replaced by the following words:—

"(d) carry on all or any of the trades or businesses of owners and operators of ships, tugs, lighters, barges and other vessels of any class, carriers, shipping and customs agents, wharf-owners and wharfingers, warehousemen, manufacturers, builders, fishermen, fish-curers, dealers in live stock, stockbreeders and farmers."

The intention is to make this sufficiently wide to cover the type of activities and manufactures which the Corporation is likely to be required to undertake. I also move that paragraph (e) be deleted and replaced by the following:

"(e) carry on the business of exporters, importers, buyers and sellers of and dealers in merchandise and produce of the following descriptions;"

that is with the intention of making clearer than previously shown the business side of the Corporation's activities.

I further move that the following three paragraphs be inserted after paragraph (g):

"(h) encourage the establishment and development of co-operative societies by employees of the Corporation and grant facilities and assistance to such societies;"

I do not think that that needs any particular explanation, Sir.

"(i) carry out research and experimental work in matters connected with the functions of the Corporation;"

That also, Sir, is obviously necessary.

"(j) do all such things as are calculated to facilitate, or are incidental or conducive to, the discharge of the Corporation's functions of the Corporation;"

That is a paragraph to cover any omissions which may not be provided for in this rather comprehensive clause.

I further move, Sir, that paragraph (h) be relettered as paragraph (k), as a result of these insertions. I further move that the clause be renumbered clause 6:

Amendments approved.

Clause 5.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

I rise to move, Sir, that clause 5 be renumbered clause 4.

Amendment approved.

Clause 6.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

I rise to move that the words "at all meetings" be inserted after the word "quorum" in the first line. Secondly, I move that the clause be renumbered clause 5.

Amendments approved.

His Excellency the Officer Administering the Government:

I have notice of a new clause for insertion here.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

I rise to move that a new clause be inserted between clauses 6 and 7 to read as follows:—

"7. The Corporation may, from time to time as occasion may require, authorise the Chairman to exercise such of their powers as they may deem expedient for the due conduct and management of any of the business and affairs of the Corporation" with marginal note "Delegation of Powers."

The reason for the inclusion of this clause is in order that the Board may delegate certain of its functions and powers to the Chairman between meetings of the Board. It is a customary delegation of powers provided for companies and other such bodies generally.

Clause read a first time.

Clause read a second time.

Insertion approved.

Clauses 7-11.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to move that clauses 7, 8, 9, 10 and 11 be renumbered clauses 8, 9, 10, 11 and 12 respectively.

Amendments approved.

Clause 12.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to propose two amendments viz: that the figures "£250,000" in the fourth line be deleted and that "£1,000,000"

be substituted therefor, and also that the clause be renumbered clause 15.

Amendments approved.

Clause 13.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to move that the whole clause be deleted, and the following words be substituted therefor:

“ The annual profits of the Corporation, after the Corporation have made such allocations as they deem necessary or expedient for meeting their obligations, and for discharging their functions under this Ordinance, and after they have set aside such sum or sums as they deem necessary or expedient by way of general or special reserves, shall be applied for the benefit of the inhabitants of the Cameroons under British Mandate in such manner as the Governor may determine.”

The acceptance of that amendment, Sir, would require the deletion of the word “ net ” from the marginal note which would then read “ Application of profits.” This is merely a redrafting of the original clause in order to make it clear how the profits of the Corporation will be applied. I also move, Sir, that the clause be re-numbered 19.

Amendments approved.

Clauses 14-18.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to move that clauses 14, 15, 16, 17 and 18 be renumbered 16, 17, 18, 13 and 14 respectively.

Amendments approved.

Preamble.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Sir, I rise to move three amendments to the Preamble. I move that the words “ acquire by ” be inserted in the first line of the second paragraph between the words “ to ” and “ purchase ”. I further move that the word “ appears ” in the first line of the third paragraph be deleted and the words “ is deemed ” substituted therefor. I further move that the following words be inserted between the word “ lands ” and the colon in the last line of the third paragraph: “ and such other lands situate in the Cameroons under British Mandate as may be made available for the said purpose by the Governor ”.

The reasons for these amendments, Sir, are that the first two are merely points of drafting; the third one is necessary because since this Bill was drafted it was found that some of the lands are held under Certificates of Occupancy, and not under Freehold and therefore they have to be provided for in this way.

Amendments approved.

Title.

Council resumed.

The Hon. F. E. V. Smith, C.M.G. (Development Secretary) :

Sir, I beg to report the Bill from Committee with twenty-nine amendments. I beg to move that the Bill, as amended, be now read a third time and passed.

His Honour the Chief Commissioner, Eastern Provinces :

I beg to second.

// *Bill read a third time and passed.*

THE INTERPRETATION (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General :

Sir, I beg to move the second reading of a Bill entitled :

“ An Ordinance further to amend the Interpretation Ordinance, 1939 ”.

and, Your Excellency, I should like to mention that it is my intention to move in Committee an amendment to clause 2 of this Bill in the terms of the proposed amendment which has been supplied to Honourable Members.

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clause 1.

Clause 2.

The Hon. the Acting Attorney-General :

Your Excellency, I beg to move an amendment to clause 2. On further consideration since the Bill was drafted it has been found that the proposed amendment in paragraph (b) of clause 2 does not go far enough, and that it is necessary to provide an entirely new definition of the expression “ Northern Provinces ”. I therefore beg to move an amendment to clause 2 of the Bill in the following terms:—“ That clause 2 of the Bill be amended by deleting paragraph (b) and substituting therefor the following paragraph :

“ Northern Provinces ” means that portion of the Protectorate which, for the time being, in accordance with the provisions of section 5 of the Nigeria (Protectorate and Cameroons) Order in Council, 1946, comprises the Northern Provinces thereof, together with that portion of the Cameroons under British Mandate which, for the time being, is to be administered with the Northern Provinces of the Protectorate in accordance with the provisions of section 6 of the Nigeria (Protectorate and Cameroons) Order in Council, 1946;”.

Sir, the present definition of the expression “ Northern Provinces ” reads as follows:—

“ “ Northern Provinces ” means that portion of the Protectorate which prior to the 1st January, 1914, constituted the Protectorate of Northern Nigeria, and those portions of the Cameroons under British Mandate which lie to the north-

ward of the line described in the Schedule to the British Camercons Order in Council, 1923, with such additions or deductions as the Governor may from time to time notify in the Gazette ”.

Now, Sir, under the Nigeria (Protectorate and Cameroons) Order in Council, 1946, other provision is made, and by section 5 provision is made for the division of the Protectorate into Northern and Southern Provinces. Section 5 preserves the existing boundaries, but it does provide that these boundaries may be varied by Proclamation of the Governor with the approval of His Majesty through a Secretary of State.

Section 6 of the Royal Order in Council makes provision whereby that part of the Cameroons to the northward of a line described in the Second Schedule is to be administered as if it formed part of the Northern Provinces; but here again, the Governor with the approval of a Secretary of State is empowered to vary that line by Proclamation. It is quite clear, therefore, that the definition now to be included in the Interpretation Ordinance must be related to the provisions of the Royal Instrument; that is the reason for the proposed amendment.

Amendment approved.

Clause 2.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee with one amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE NATIVE COURTS (COLONY) (AMENDMENT) ORDINANCE, 1946

The Hon. the Acting Attorney-General :

Your Excellency, in the unavoidable absence of the Honourable J. G. C. Allen (Acting Commissioner of the Colony), I beg to move the second reading of a Bill entitled :

‘ An Ordinance further to amend the Native Courts (Colony) Ordinance, 1937.’

The Hon. C. W. Reece (Acting Solicitor-General) :

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1-4.

Title.

Council resumed.

The Hon. the Acting Attorney-General :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a third time and passed.

THE 1945-46 SUPPLEMENTARY APPROPRIATION ORDINANCE, 1946

The Hon. the Acting Financial Secretary:

Sir, I beg to move the second reading of a Bill entitled:

“ An Ordinance to make supplementary provision for the service of the Colony and Protectorate of Nigeria for the year ending the 31st day of March, 1946 ”.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

First Schedule.

Second Schedule.

Third Schedule.

Preamble.

Title.

Council resumed.

The Hon. the Acting Financial Secretary:

Sir, I beg to report the Bill from Committee without amendment.

I beg to move that the Bill be now read a third time and passed.

The Member for Calabar (The Rev. & Hon. O. Efiang, O.B.E.):

Sir, I beg to second.

Bill read a third time and passed.

THE CONDITIONS OF EMPLOYMENT AND WAGE-FIXING ORDERS IN COUNCIL (BENIN PROVINCE) (VALIDATION) ORDINANCE, 1946

The Hon. E. A. Miller (Commissioner of Labour):

Your Excellency, I beg to move the second reading of a Bill entitled:

“ An Ordinance to validate certain Orders in Council purporting to have been made under the provisions of the Labour (Wage-Fixing and Registration) Ordinance, 1943, after the same had been repealed by the Labour Code Ordinance, 1945 ”.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Schedule.

Preamble.

Title.

Council resumed.

The Hon. E. A. Miller (Commissioner of Labour):

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General):

Sir, I beg to second.

Bill read a third time and passed.

THE PENSION (KENNETH BAYNTON FORGE) ORDINANCE, 1946**The Hon. the Acting Financial Secretary:**

Your Excellency, I beg to move the second reading of a Bill entitled:

“ An Ordinance to make special provision for the grant of a pension to Kenneth Baynton Forge ”.

The Hon. C. W. Reece (Acting Solicitor-General):

I beg to second.

The First Lagos Member (The Hon. Ernest Ikoli):

Your Excellency, I am not clear about this Bill. I do not wish to oppose it, but I am not satisfied that this Council has had sufficient information. We do not ask that our dirty linen should be washed here, but we should to my mind have some more satisfactory explanation than was given by the Honourable Financial Secretary as to the reasons why this Officer should be granted a special pension. If an officer is found not satisfactory in his conduct, the Governor or whoever is the authority concerned, has power to dismiss him from the service, and for us to be told in a vague way that this man's private life was such that the department could not keep him and for that reason grant him a pension is not satisfactory, and I think we should in a case of this kind record our objections. I personally would lodge my objection chiefly on the grounds that if we accept this Bill as it stands it is going to create a precedent which I think this House should avoid.

The Commercial Member for Port Harcourt (The Hon. W. V. Wootton):

Your Excellency, I support what has been said by the Honourable the First Lagos Member. I also think it is a very bad thing and not practised in the ordinary course of business life, and unless we have Government's assurance that this Ordinance will not be regarded as a precedent, and something will be incorporated in the Harragin Report which will prevent an occurrence of this sort, I shall oppose this Bill. I think it is wrong that in the case of the officer in question it should take eighteen years for Government to find him undesirable. I knew him for a considerable number of years, and in any other country he would not have lasted five minutes. Unless we have Government's assurance that it will not create a precedent, I shall oppose the measure now before the House.

The Hon. the Acting Financial Secretary :

Sir, if I may speak again, Sir, I hope that this Bill will not be a precedent. I hope that nobody on this side of the House will ever be put again in the position of having to move a Bill for this type of case. I do not propose to go into any details in Council. It was a very difficult case indeed. You had on the one hand a man who was efficient and capable in his official duties and on the other, a man who we do not wish to keep in the department, in this Government nor in this country. So far as the Harragin Report is concerned it is of very slight relevance, because this officer had only attained the age of 44. Under the Harragin Report, had he been forty-five years of age we should have been able to retire him without referring the matter to this House. There is a proposal in the Harragin Report that officers after ten years' service should be allowed to retire but it has not yet been accepted.

I hope the short explanation which I have given will satisfy the Honourable Members of this House. I feel I can say no more.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Preamble.

Title.

Council resumed.

The Hon. the Acting Financial Secretary :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

THE SHIPPING AND NAVIGATION (AMENDMENT) ORDINANCE, 1946**The Hon. the Director of Marine :**

Sir, I beg to move the second reading of a Bill entitled :

“ An Ordinance further to amend the Shipping and Navigation Ordinance ”.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a second time.

Council in Committee.

Enactment.

Clauses 1 and 2.

Title.

Council resumed.

The Hon. the Director of Marine :

Sir, I beg to report the Bill from Committee without amendment. I beg to move that the Bill be now read a third time and passed.

The Hon. C. W. Reece (Acting Solicitor-General) :

Sir, I beg to second.

Bill read a third time and passed.

Council adjourned at 11.35 a.m. until 10 a.m. on Wednesday the 11th December, 1946.

Debates in the Legislative Council of Nigeria

Wednesday, 11th December, 1946

Pursuant to notice the Honourable the Members of the
Legislative Council met in the Council Chamber, Lagos,
at 10 a.m. on Wednesday, the 11th of December, 1946.

PRESENT

OFFICIAL MEMBERS

- The Officer Administering the Government,
His Excellency G. Beresford Stooke, C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable G. F. T. Colby.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Acting Attorney-General,
The Honourable A. Ridehalgh.
- The Acting Financial Secretary,
The Honourable A. W. L. Savage.
- The Director of Medical Services,
Dr the Honourable G. B. Walker, C.B.E.
- The Director of Education,
The Honourable R. A. McL. Davidson.
- The Director of Marine,
Captain the Honourable A. V. P. Ivey, C.B.E., R.D.,
R.N.R.
- The Comptroller of Customs and Excise,
The Honourable W. T. Martin.
- The Senior Resident, Niger Province,
Captain the Honourable B. E. Sharwood Smith, E.D.
- The Senior Resident, Oyo Province,
Lt.-Comdr. the Honourable J. G. Pyke-Nott, R.N.
- The General Manager of the Railway,
The Honourable A. J. F. Bunning, C.M.G.
- The Director of Public Works,
The Honourable H. E. Walker, C.B.E.
- The Acting Director of Agriculture,
The Honourable J. D. Brown.
- The Honourable F. E. V. Smith, C.M.G.,
Development Secretary.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, o.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The First Lagos Member,
The Honourable E. Ikoli.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, o.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable Jesse Ogboru.
- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Cancn S. A. Delumo.
- The Commercial Member for Port Harcourt.
The Honourable W. V. Wootton.
- The Member for Ijebu Division,
The Honourable T. A. Odutola.
- The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, o.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable T. W. W. Finlay,
Commissioner of Police.
- The Honourable F. S. Collier,
Chief Conservator of Forests.
- The Honourable P. W. Adshead,
Accountant-General.
- The Honourable C. W. Reece,
Acting Solicitor-General.

ABSENT

OFFICIAL MEMBERS

- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

EXTRAORDINARY MEMBERS

- The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

PRAYERS

His Excellency the Officer Administering the Government opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 10th of December, 1946, having been printed and circulated to the Honourable Members, were taken as read and confirmed.

PAPERS LAID

The Hon. the Acting Chief Secretary to the Government :

Your Excellency, I beg to lay on the table the following papers :—

Sessional Paper No. 30 of 1946—Report on the Audit of the Accounts of Nigeria for the year ending 31st March, 1945.

Report of the Commission on the Civil Services of British West Africa, 1945-46.

QUESTIONS

NOTE.—Replies to Questions Nos. 48 and 123 by the Honourable the Third Lagos Member; Nos. 127, 130-132 by the Honourable the Second Lagos Member; No. 172 by the Honourable the Third Lagos Member; Nos. 218 and 221 by the Honourable the Member for Calabar; Nos. 231 and 252 by the Honourable the First Lagos Member; Nos. 262 and 263 by the Honourable the Member for the Oyo Division; No. 273 by the Honourable the Member for the Ijebu Division are not yet ready.

The Member for the Ijebu Division (The Hon. T. A. Odutola):

242. To ask the Honourable the Director of Education:—

(a) To give a statement showing the number of existing Secondary Schools at each of the following places:—

(i) Lagos and the Colony area, (ii) Abeokuta Province, (iii) Oyo Province, (iv) Ijebu Province and (v) Benin Province.

(b) How many pupils sought admission into each of these Secondary Schools for 1944, 1945 and 1946, and for how many was room found in each case?

Answer—

The Hon. the Director of Education:

- (a) (i) Ten
(ii) Two
(iii) Five
(iv) One
(v) Three.

(b) The following schedule provides the information sought by the Honourable Member but it should be understood that no reliable conclusions can be deduced therefrom since (a) certain schools conduct a competitive not a qualifying test for admission (b) many would-be entrants seek admission to more than one school and (c) in the opinion of the Principals concerned over 5,000 applicants in 1946 were clearly unfitted for a secondary education.

	Number seeking admission to Secondary Schools			Number admitted to Secondary Schools		
	1944	1945	1946	1944	1945	1946
Lagos and Colony	4,215	4,444	4,144	415	455	472
Abeokuta	1,315	1,174	677	277	284	187
Oyo	2,294	2,556	3,359	224	213	175
Ijebu	390	432	568	79	75	77
Benin	128	339	666	28	90	103

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe):

256. To ask the Honourable the Chief Secretary to the Government:—

What is the retiring age-limit of Native Administration employees, clerical, technical and judicial?

Answer—

The Hon. the Chief Secretary to the Government :

Native Administration employees may be called upon to retire when they reach the age of 55 but as in the case of Government servants, service beyond that age may be permitted in suitable cases.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

257. To ask the Honourable the Chief Secretary to the Government:—

What are the specific duties of an Administrative Secretary in the service of Native Administrations, and how many such appointments have been made in the Native Administrations of the Northern, Western and Eastern Provinces of Nigeria since 1918?

Answer—

The Hon. the Chief Secretary to the Government :

In the Western Provinces the post of Administrative Secretary is confined solely to the Egba Native Administration, which has made two appointments to this post since 1918. The specific duties of the Administrative Secretary to the Egba Native Administration are as follows:—

- (i) To deal with correspondence concerning the Egba Native Administration in the Alake's Office.
- (ii) To supervise the clerical work of the Alake's Office.
- (iii) To represent the Alake on important committees as and when required.
- (iv) To sit as a member of the Egba Advisory Council.
- (v) To accompany or to represent the Alake at Official and social functions.

The Third Lagos Member (Dr the Hon. Ibiyinka Olorun-Nimbe) :

258. *Apropos* Dod's Committee Report paragraph 22: To ask His Honour the Chief Commissioner, Western Provinces:—

What are the names of the Africans who have held the posts of Administrative Secretaries to the Egba, Ijebu and Oyo Native Administrations during the last 25 years and who have retired, their respective ages; what are the names, and the ages of the present holders of these posts?

Answer—

The Hon. the Chief Secretary to the Government :

In the Egba Native Administration Chief Adegbite Sobo was the first holder of the post of Administrative Secretary. He retired in 1938 at the age of 66 and was succeeded by Chief C. A. A. Titcombe the present holder, who is now aged 59. There have been no appointments of Administrative Secretary made in the Ijebu and Oyo Native Administrations.

The Third Lagos Member (Dr. the Hon. Ibiyinka Olorun-Nimbe):

277. To ask the Honourable the Director of Education:—

In view of the increasing difficulties in providing suitable accommodation for Colonial Students in the various faculties in British Universities, will Government seriously consider the advisability of making necessary arrangements for Nigerian Students to enter Indian, Canadian, American or Ceylon Universities which award registrable qualifications recognised by British Universities?

Answer—

The Hon. the Director of Education:

Yes, Sir. The question is already being considered.

MOTIONS

The Hon. F. E. V. Smith, C.M.G. (Development Secretary):

Your Excellency, I rise to move the following Resolution:—

“ Be it resolved:

“ That this Council approves of the Governor, in
“ anticipation of the raising of a loan or loans,
“ incurring expenditure not exceeding £850,000
“ from surplus balances standing to the credit of
“ this Government for the purpose of:—

“ (a) acquiring by purchase all those lands set
“ out in the Schedule to the Ex-Enemy
“ Lands (Cameroons) Ordinance, 1946, and

“ (b) paying compensation for the surrender of
“ Certificates of Occupancy and Crown Leases
“ and for the cancellation of concessions and
“ agreements relating to such other lands
“ and property, now vested in or held by the
“ Custodian of Enemy Property, as the
“ Governor may deem necessary to be
“ acquired for the use of the Cameroons
“ Development Corporation.”

This Motion, Sir, I submit needs little explanation. It is merely financial provision for the setting up of the Cameroons Development Corporation which was dealt with in the two Bills which were passed by this Council yesterday. It is the intention that the purchase price of the estates, and the compensation which will be payable for the surrender of certificates of occupancy, and so forth, should be paid for, at first, by this Government from monies to be raised by loan, and this Government will be reimbursed over a period of years from the rentals to be charged. The Motion now before the House seeks the approval of the Governor expending sums not exceeding £850,000 in all from surplus balances in anticipation of a loan being raised at a later date.

Your Excellency, I beg to move.

The Member for Calabar (The Rev. & Hon. O. Efiog; O.B.E.):

Sir, I beg to second.

Resolution adopted unanimously.

The Hon. the Acting Financial Secretary :

Your Excellency, before moving the resolution standing in my name I seek the permission of Your Excellency and Honourable Members to vary it by the addition of the words "in Select Committee". In discussion with my seconder, Sir, the Senior Unofficial Member, I was informed that the Unofficial Members wish to have an opportunity to discuss the Report in a Select Committee composed of the Acting Financial Secretary and themselves.

If the House sees no objection it is proposed to amend the resolution accordingly and after the amended resolution has been proposed and seconded to adjourn the meeting of this Council until tomorrow morning when I trust the Select Committee will be ready to report to Council.

Amendment approved.

The Hon. the Acting Financial Secretary :

Your Excellency, I beg to move the Resolution standing in my name as amended which reads as follows:—

"That the Report of the Commission on the Civil Services
"of British West Africa which was laid on the
"table to-day be examined by a Select Committee."

I do not propose to explain at length the reasons which led to the appointment of the Harragin Commission by the Secretary of State. I believe, Sir, they are known to all Honourable Members. I would only say that the necessity was both apparent and urgent.

It is relevant also to note at the outset that it is not only in West Africa that such a review has become necessary. In the United Kingdom last year, in the Middle East early this year, in East Africa at the present time, and in the Far East, a revision of emoluments of Government servants has been undertaken or is being undertaken in order to consolidate or revise emoluments to a stable post-war level to ensure that the public services do offer reasonable terms of service in order to attract the best possible type of candidate.

Honourable Members will be aware also, Sir, that the Harragin Report is being examined not only in Nigeria but in every other territory in British West Africa by the local Governments and Legislative Councils, by representatives of the Civil Services, and in the United Kingdom by the Colonial Office.

The Report as printed is not a final document, and it is the task of this Council to make recommendations and to examine the Report in every aspect. Any representations which Honourable Members may make will be faithfully submitted to the Secretary of State, who does not intend to take final decisions until he has received comments from each Territory.

terms and conditions of service which have had, and will have, to be offered in London in competition with other Colonial Services, with commerce and industry.

The Nigerian Civil Service must be built on salary scales, on leave and superannuation terms, designed in relation to the needs of recruitment in Africa. No Civil Service can survive on foreign rates of pay, and it is this principle that is embodied in the Harragin Report, and which I commend for consideration of Honourable Members.

I now pass to a brief examination of the proposals as regards appointments of non-Africans to the Nigerian Civil Service. I feel sure that every Member of this House recognises and accepts the need—both present and potential, to recruit men from overseas to fill those posts for which sufficient qualified Africans are not yet available. With the tremendous potential development of this country during the next decade the number of overseas appointments will increase, but there will be a peak, Sir, after which the number of non-Africans will decline. The period of time that will take I cannot estimate.

The Harragin Commission recommends that the terms of service to be adopted for these expatriate officers should be basically the same as those adopted for Africans, but supplemented by a pensionable expatriation allowance and additional leave terms.

We have had the doubtful advantage of reading the press comments on this question, and I listened a few days ago to the representatives of a number of Civil Service Unions and Associations, who found the proposal for expatriation allowances to be objectionable in one form or another—either in principle or amount. Once again, Sir, that dangerous catchword “racial discrimination” whose sound deceives and obscures the issue, has been used.

What is the meaning of this word “discrimination”? Surely the normal meaning is the observance of differences. In England we say that a man of discriminating taste is a man who notices and observes differences. He does not create them, Sir, he merely notes their existence. That is all the Harragin Commission has done. It noted the differences between the rates of pay appropriate for local recruitment and the rates of pay essential to obtain suitable candidates in London in competition, and I emphasise this, in competition with every other Colonial Service, with commerce and industry, both at home and abroad.

It noted the differences in costs of education of non-African children who have to be maintained in the United Kingdom for their primary and secondary education, compared with the cost of educating children in this country. It noted further the almost common necessity of maintaining a second home at one or other stages of a European Officer's career.

These differences of recruitment and expenditure the Commission proposes to meet to a certain extent by the adoption of expatriation allowances on a basis of a percentage of salary. A suggestion has been received that platforms of allowances in different ranges of salary would be more appropriate. That may be so, but I do trust that the principle underlying these allowances will be endorsed by Honourable Members in Select Committee.

The proposed rates of expatriation allowance and the recommendation that it should be a pensionable emolument have received some attention. It is an undeniable fact that similar rates with pensionability are being offered in London at the present time, and if any substantial alteration were to be made from the relative recommendations of the Harragin Report there can be no doubt that the standard of recruitment for West Africa would at least be affected if not almost completely impeded. I suggest to this Council that it would be false economy to attempt to do so.

The next prerequisite for a Civil Service is a scheme of salaries to ensure a reasonable career for all Nigerians.

If the varied comments which have been received by this Government are valid, there seems to be an extraordinary number of anomalies in the Report. There are undoubtedly some anomalies and they will have to be ironed out. I do not propose to deal with them at this stage, but I do ask Honourable Members to examine the grades and salaries on a broad basis and to invite them to state whether they consider the proposals generally provide for Nigerians an adequate career and remuneration in the public service of this country.

They do offer to the technical and clerical services, which after all are the backbone of the Junior Service a number of grades ranging between £84 and £480 a year, and to the administrative and professional posts in the Senior Service a range of salaries between £400 and £900, with super-scale posts ranging up to £2,000.

I would like to dispose, at this stage, of a common misunderstanding about the phrase "black coated workers" used in the Report. That phrase in the United Kingdom is a term of distinction related to the fact that office workers in Whitehall and the City of London attend their offices in black coats and striped trousers, which distinguishes them from their less favoured colleagues. The phrase is not offensive, and was not intended as such by Sir Walter Harragin.

I had intended to consider, Sir, in some detail the recommendations in relation to the original and recent proposals of the different Civil Service Unions and Associations; but I shall defer that until Select Committee.

The main objections as I see them are three:

Firstly that the minimum pay of a clerk on first appointment should be £120 per annum;

actuarial enquiry into average families and their expectation of life. It is probable too, Sir, that such a scheme would be compulsory in relation to new entrants but voluntary as regards serving officers.

Honourable Members will have already seen a notice in the press that the terms of reference of the Commission excluded unestablished and daily paid staff, but that a separate enquiry will be undertaken locally forthwith. Departments have been asked to submit a summary of these employees and as soon as they are received it is the intention to appoint a Committee to report.

There remain two obvious and important questions to be considered. Firstly, what will all this cost; and secondly can Nigeria afford a Civil Service with such terms of service.

It will be appreciated by this Council, although apparently overlooked or not accepted by certain representatives of Civil Servants, that the Tudor Davies award in particular, and cost of living, local and separation allowances in general, were in fact an anticipation of the Harragin Report. All these allowances, those which have already been paid, amount to roughly £575,000 as regards permanent posts. They are, of course, temporary allowances, but they all have now been consolidated on a permanent basis, and where appropriate are pensionable within the Harragin scales of pay. The additional cost over and above the present cost of £575,000 is about £550,000, or a total of £1,125,000—that is Harragin plus Tudor Davies plus the other cost of living allowances which have been paid. Of this total of £1,125,000, £800,000 is related to permanent posts in the Junior Service and the balance of £325,000 to the Senior Service. These figures assume that every recommendation of the Harragin Report will be adopted, and that every officer will elect to accept the new terms.

I should mention in passing that in 1939-40 we spent £2 million on Personal Emoluments (excluding the Railway), out of recurrent expenditure of roughly £6 million—in other words one-third.

In the current year, excluding Colonial Development and Welfare and the Railway, but including the Tudor Davies and Harragin Reports for one year, the expenditure estimates amount to £12 million, of which nearly £4½ million will relate to permanent staff, or nearly 38 per cent.

These figures do not include the potential increase which will have to be faced in the future in the pensions bill of this country arising from the higher salaries and the improved pensions constant. The amount will not be inconsiderable.

Nor should it be overlooked that the figures I have given refer to the current year, whereas increments in the salary grades will further increase the potential annual liability but will be offset to a certain extent by the amount of the increments which an officer would have earned on the old grades.

On the other hand the progressive replacement of non-African officers by Nigerian officers will result in a progressive reduction of the total costs by elimination of the expatriation allowances.

For the present the question is Can the Nigerian taxpayer afford to pay a further £550,000 in order to implement the Harragin Report. In passing I should mention that in the present year the amount will be roughly £700,000 for it is proposed to give retroactive effect from 1st January, 1946, which at the 31st March next will represent a period of fifteen months.

I believe the Nigerian taxpayer can and will meet this bill, but I suggest that the real question is "Can Nigeria afford to pay its Civil Servants lower rates than are proposed?". I am no prophet, Sir, but I venture to say that lower rates would prejudice recruitment and the standard of recruits, and that, I am certain, Nigeria cannot afford.

It has been said that every country has the Government it deserves and I would add to that that the public get the service they require only in accordance with the rates they are prepared to pay.

I have emphasized these figures of costs not only for the information of Honourable Members who are representatives of the taxpayers of this country, but I reiterate them, Sir, for the serious consideration of representatives of certain sections of the Civil Service of this country who, at times, appear to have adopted the Turkish proverb which, being freely translated, reads: "To the not crying child they give no milk."

I speak, Sir, with plain good intention. I realize fully the aims and ambitions of Unions and Associations for I have been an active member myself elsewhere, but it is imperative that they should realize their responsibilities not only to their members, but to the general public. There appears to be some mistaken idea that the Government of Nigeria or in other words this Council, has unlimited funds of its own, whereas we know that every penny and every asset (other than grants from overseas) has been and will have to be provided by the taxpayers of Nigeria.

One final word Sir, the publication of the Harragin Report was followed in some quarters of the press by invective abuse and threats, before, I venture to say one per cent of Civil Servants of this country had had time to study the Report or to appreciate how it would affect them either now or in the future. There will, of course, be a number of individuals who will be disappointed with the recommendations, not only in the Junior Service, but in the Senior Service, but I believe, Sir, that when we reach the stage of offering the new terms to all officers, there will be only a few who will not appreciate nor accept the benefits which the Harragin Report undoubtedly offers to the Civil Servants of British West Africa.

UNOFFICIAL MEMBERS

- The Member for Calabar,
The Rev. and Honourable O. Efiang, O.B.E.
- The Mining Member,
The Honourable H. H. W. Boyes, M.C.
- The First Lagos Member,
The Honourable E. Ikoli.
- The Member for the Colony Division,
The Rev. and Honourable T. A. J. Ogunbiyi, O.B.E.
- The Member for the Cameroons Division,
The Honourable J. Manga Williams.
- The Member for the Ondo Division,
The Ven. and Honourable L. A. Lennon, M.B.E.
- The Member for the Oyo Division,
The Honourable Akinpelu Obisesan.
- The Member for the Warri Division,
The Honourable Jesse Ogboru.
- The Second Lagos Member,
The Honourable E. A. Akerele.
- The Member for the Rivers Division,
The Ven. and Honourable E. T. Dimieari.
- The Member for the Ibibio Division,
The Honourable G. H. H. O'Dwyer.
- The Member for the Egba Division,
The Rev. and Honourable Cancn. S. A. Delumo.
- The Commercial Member for Port Harcourt.
The Honourable W. V. Wootton.
- The Member for Ijebu Division,
The Honourable T. A. Odutola.
- The Third Lagos Member,
Dr the Honourable I. Olorun-Nimbe.
- The Honourable E. W. Cannell.

EXTRAORDINARY OFFICIAL MEMBERS

- The Honourable E. A. Miller,
Commissioner of Labour.
- The Honourable N. S. Clouston, O.B.E.,
Commissioner of Lands and Director of Surveys.
- The Honourable T. V. W. Finlay,
Commissioner of Police.
- The Honourable F. S. Collier,
Chief Conservator of Forests.
- The Honourable P. W. Adshead,
Accountant-General.
- The Honourable C. W. Reece,
Acting Solicitor-General.

ABSENT

OFFICIAL MEMBERS

- The Chief Commissioner, Northern Provinces,
His Honour Sir John Patterson, K.B.E., C.M.G.
- The Chief Commissioner, Eastern Provinces,
His Honour Sir F. Bernard Carr, C.M.G.
- The Chief Commissioner, Western Provinces,
His Honour T. Hoskyns-Abrahall, C.M.G.
- The Senior Resident, Kano Province,
Captain the Honourable E. W. Thompstone, C.M.G.,
M.C.
- The Senior Resident, Plateau Province,
The Honourable F. M. Noad.
- The Senior Resident, Warri Province,
Major the Honourable R. L. Bowen, M.C.
- The Senior Resident, Adamawa Province,
The Honourable G. B. Williams, M.C.
- The Resident, Ondo Province,
The Honourable E. V. S. Thomas.
- The Resident, Bauchi Province,
Captain the Honourable H. H. Wilkinson.
- The Resident, Abeokuta Province,
The Honourable E. N. Mylius.
- The Resident, Onitsha Province,
The Honourable R. J. Hook, D.F.C.
- The Honourable E. A. Carr,
Commissioner of the Colony.

UNOFFICIAL MEMBERS

- The Member for the Ibo Division,
The Honourable E. N. Egbuna.
- The Commercial Member for Lagos,
The Honourable F. G. Frost.
- The Commercial Member for Kano,
The Honourable F. P. Mackenzie.

EXTRAORDINARY MEMBERS

- The Resident, Cameroons Province,
The Honourable A. F. B. Bridges.
- The Honourable J. G. C. Allen,
Acting Commissioner of the Colony.

PRAYERS

His Excellency the Officer Administering the Government opened the proceedings of the Council with prayers.

CONFIRMATION OF MINUTES

The Minutes of the meeting held on the 11th of December, 1946, having been printed and circulated to the Honourable Members were taken as read and confirmed.

Answer—

The Hon. the Chief Secretary to the Government :

(a) On first appointment Agricultural Assistants are required to spend three years at the Agricultural School under conditions which are normal at such an Institution. After passing out, these officers are posted to Agricultural stations. Otherwise Agricultural Assistants are subject to the normal conditions laid down in General Orders and related Government instructions applicable to all officers in equivalent grades.

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

(b) No pupils entered the school in 1941: 21 pupils, recruited in 1938, sat their final examination in 1941, of whom 8 failed to pass. Four of those who failed to pass were subsequently regraded as Field Overseers. No pupil resigned in 1941.

(c) There has been no mass resignation.

MOTIONS

The Hon. the Acting Financial Secretary :

Your Excellency, I rise to move the following Resolution standing in my name which reads as follows:—

“ Be it resolved :

“ That the report of the Select Committee appointed to examine the report of the Commission on the Civil Services of British West Africa be forwarded to the Secretary of State ”.

Your Excellency, I do not propose to make a long speech this morning. It will be appreciated from the Report of the Select Committee that a considerable amount of work has been done since yesterday morning. The Committee generally surveyed the recommendations in the Harragin Report and the representations which have been made by certain Civil Service Unions and Associations and the Press.

The Committee did not feel able to accept all the criticisms made, but I think, Sir, Honourable Members will agree, after examination of the modifications which are set out in the Report, that at least some of those criticisms have been accepted and adjustment recommended.

Obviously, Sir, it was quite impossible for us to examine the emoluments attached to every post, and the Committee is aware that closer co-ordination of certain comparable posts is desirable. The Committee, Sir, have left such adjustments as may be necessary to Your Excellency, Your Excellency's Advisers, and the Secretary of State.

There is just one point which I wish to record in relation to paragraph 16 of the Report of the Select Committee regarding marriage gratuities to women officers in pensionable posts. It is a fact, Sir, that an amendment of the Pensions Ordinance on these lines has already been adopted by the Secretary of State and implemented in other West African Colonies some time ago. I gave an assurance to the Select Committee yesterday, Sir, on your behalf, that Government would sympathetically consider the application of this recommendation retroactively to the same date as has already been adopted in the other West African Colonies.

Sir, I introduced the Harragin Report yesterday with the remark that I considered it to be an historical document and a landmark in the Civil Service of British West Africa, and I would conclude by saying that I consider it most appropriate that the Honourable Members of this Council should have had the opportunity and the privilege of laying one of the foundation stones of the Nigerian and African Civil Service.

The Member for Calabar (The Rev. & Hon. O. Efiog, O.B.E.):

Your Excellency, I beg to second this Motion and in seconding it, Sir, I have nothing extra to add because this is a comprehensive representation of the opinions of the Select Committee on this Commission. I therefore have pleasure in seconding this Motion.

Resolution adopted unanimously.

His Excellency:

Before I adjourn this Council for the last time I would like to take this opportunity of thanking all Honourable Members for the services which they have rendered to Nigeria as Members of the Legislative Council. This first Legislative Council of Nigeria has set up a high tradition of public service and of dignity in the conduct of public affairs. That tradition will be left as a legacy for the new Council. What is perhaps even more important is the record of achievement, a record of which all Honourable Members both past and present have every reason to be proud, and a record, I would say, which can hardly fail to provide a constant source of inspiration for its successor. If I may add one word more in my, as it were, substantive capacity as Chief Secretary and leader of the Council, I should like to thank all Honourable Members, without exception, for the unfailing courtesy which they have invariably extended to me. I shall always have the most pleasant recollections of my association with Honourable Members.

Finally, as the major festival of the year is close upon us I would like to take the opportunity of wishing all Honourable Members a very happy Christmas.

ADJOURNMENT

Council adjourned at 10.13 a.m. sine die.