



NIGERIA



Legislative Council
Debates.

NTH SESSION, 1931.

(January 28 and February 2, 1931.)

LAGOS:
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1931.

DEBATES
IN THE
LEGISLATIVE COUNCIL
OF
NIGERIA

On Wednesday, 28th January, 1931.



Pursuant to notice the Honourable the Members of the Legislative Council met in the Council Chamber, Lagos, at 10 A.M. on Wednesday the 28th January 1931.

PRESENT.

- His Excellency The Officer Administering the Government,
Mr. G. Hemmant, C.M.G.
- The Acting Chief Secretary to the Government,
The Honourable Mr. A. C. Burns, C.M.G.
- The Lieutenant-Governor, Northern Provinces,
His Honour Mr. C. W. Alexander, C.M.G.
- The Lieutenant-Governor, Southern Provinces,
His Honour Captain W. Buchanan Smith, C.M.G., M.C.
- The Attorney-General,
The Honourable Mr. A. C. V. Prior,
- The Treasurer,
The Honourable Mr. C. W. Leese.
- The Commandant,
The Honourable Colonel A. J. Ellis, D.S.O.
- The Director of Medical and Sanitary Service,
The Honourable Dr. W. B. Johnson.
- The Comptroller of Customs,
The Honourable Mr. W. K. Duncombe.
- The Honourable Mr. E. R. J. Hussey,
The Director of Education.
- The Administrator of the Colony,
The Honourable Major C. T. Lawrence, O.B.E.
- The Director of Marine,
The Honourable Captain L. J. Hall, O.B.E., R.D., R.N.R.
- The Senior Resident, Oyo Province,
The Honourable Captain W. A. Ross, C.M.G.
- The Senior Resident, Zaria Province,
The Honourable Mr. G. S. Browne, C.M.G.
- The Secretary, Northern Provinces,
The Honourable Mr. G. J. Lethem.
- The Senior Resident, Calabar Province,
The Honourable Mr. E. M. Falk.
- The Senior Resident, Northern Province,
The Honourable Mr. H. B. Hermon-Hodge.
- The Resident, Onitsha Province,
The Honourable Mr. F. H. Ingles.
- The Acting Deputy Chief Secretary,
The Honourable Mr. G. C. Whiteley.
- The General Manager of the Railway,
The Honourable Mr. E. M. Bland, C.M.G.

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- The Director of Public Works,
The Honourable Mr. C. L. Cox.
- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.;
- The Honourable Lt.-Col. R. H. Rowe, D.S.O., M.C.,
The Commissioner of Lands.
- The Honourable Mr. G. B. Hebden,
The Postmaster-General.
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.
- The Member for the Colony Division,
The Honourable Sir Kitoyi Ajasa, Kt., O.B.E.
- The Commercial Member for Calabar,
The Honourable Mr. G. Graham Paul.
- The Member for the Egba Division,
The Honourable Mr. S. H. Pearse.
- The Member for the Rivers Division,
The Honourable Mr. Mark Pepple Jaja.
- The Commercial Member for Lagos,
The Honourable Mr. R. F. Irving.
- The Member for the Warri-Benin Division,
The Honourable Mr. I. T. Palmer.
- The Member for Calabar,
The Honourable Mr. C. W. Clinton.
- The Third Lagos Member,
The Honourable Mr. T. A. Doherty.
- The Banking Member,
The Honourable Mr. L. M. Herapath.
- The Member for the Ibo Division,
The Venerable Archdeacon G. T. Basden.
- The Member for Shipping (Provisional),
The Honourable Mr. F. Bateman Jones.
- The Commercial Member for Kano (Provisional),
The Honourable Mr. J. Neilson.
- The Mining Member (Provisional),
The Honourable Mr. J. G. Foley.
- The Commercial Member for Port Harcourt (Provisional),
The Honourable Mr. C. E. Hartley.

ABSENT.

- The Senior Resident, Cameroons Province,
The Honourable Mr. E. J. Arnett, C.M.G.
- The Senior Resident, Adamawa Province,
The Honourable Mr. G. W. Webster, M.B.E.
- The Senior Resident, Owerri Province,
The Honourable Mr. W. E. Hunt, C.B.E.
- The Senior Resident, Niger Province,
The Honourable Mr. C. A. Woodhouse.
- The Senior Resident, Abeokuta Province,
The Honourable Mr. F. B. Adams.
- The Acting Secretary, Southern Provinces,
The Honourable Mr. G. H. Findlay.
- The Second Lagos Member,
The Honourable Mr. E. J. Moore.
- The Member Representing the Niger African Traders,
The Honourable Mr. S. C. Obianwu.
- The Member for the Oyo Division,
The Honourable Mr. A. S. Aghaje.

PRAYERS.

His Excellency the Officer Administering the Government opened the proceedings of the Council with prayers.

OATHS.

The Honourable the Commandant, the Honourable the Administrator of the Colony, the Honourable the Senior Resident, Calabar Province, the Honourable the Senior Resident, Ilorin Province, the Honourable the Resident, Onitsha Province, the Honourable the Acting Deputy Chief Secretary, the Honourable the Member for the Ibo Division, the Honourable the Mining Member (Provisional), the Honourable the Commercial Member for Port Harcourt (Provisional), took the Oath as members of the Council.

MINUTES.

The Minutes of the meeting held on the 29th September, 1930 having been printed and circulated to Honourable Members were taken as read and confirmed.

PAPERS LAID.

His Excellency the Officer Administering the Government laid the following paper on the table:—

Sessional Paper No. 1 of 1931, The Officer Administering the Government's Address to the Legislative Council.

The Honourable the Acting Chief Secretary to the Government laid the following papers on the table:—

Sessional Paper No. 2 of 1931, Annual Report on the Police Department, Northern and Southern Provinces for the year 1929.

Sessional Paper No. 3 of 1931, Annual Report on the Public Officers' Guarantee Fund for the year 1929.

Sessional Paper No. 4 of 1931, Annual Report on the Education Department, Northern and Southern Provinces, for the year 1929.

Sessional Paper No. 5 of 1931, Annual Report on the Treasury Department for the year, 1929-30.

Sessional Paper No. 6 of 1931, Annual Report on the Public Works Department for the year 1929.

Sessional Paper No. 7 of 1931, Annual Report on the Colony for the year 1929.

Sessional Paper No. 8 of 1931, Annual Report on the Northern Provinces for the year 1929.

Sessional Paper No. 9 of 1931, Notes of Evidence, Aba Inquiry.

Sessional Paper No. 10 of 1931, Annual Report on the Veterinary Department, Northern Provinces, for the year 1929.

Sessional Paper No. 11 of 1931, Correspondence regarding the Relaying of the Minna-Kaduna section of the Nigerian Railway.

Sessional Paper No. 12 of 1931, Correspondence relating to Emetic Research, etc.

Sessional Paper No. 13 of 1931, Annual Report on the Harbour Department for the year 1929.

Sessional Paper No. 14 of 1931, Annual Report on the Medical and Sanitary Service for the year 1929.

Supplementary Estimates, 1930-31 (second and third quarters).

Draft Estimates, 1931-32.

Memorandum on the draft Estimates, 1931-32.

Order in Council made under the Customs Tariff Ordinance, 1924 on the 6th of October, 1930.

QUESTIONS.

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

1. To ask whether boys attending school in the Colony pay tax; if not, why do the boys in the Warri-Benin Provinces pay?

Answer:—

Boys attending school in the Colony and in the Warri and Benin Provinces do not pay tax unless they belong to the classes of persons who are declared by the Income Tax (Colony) Ordinance, 1927 or the Native Revenue Ordinance to be so liable. Government is not aware of any boys under the age of sixteen years paying tax in either the Colony or the Warri or Benin Provinces.

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

2. To ask how many Superintendents of Education were stationed at Warri before Mr. Hewson proceeded on furlough sometime this year?

(b) How many are now there and what their duties are?

Answer:—

The answer to the first part of the question is one.

(b) There are now two Superintendents of Education at Warri, one of whom is in charge of education in the province, and the other of the Elementary Training Centre.

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

3. To ask whether it is true that Mr. Iron, Inspector of Produce, refused to take the customary oath before Mr. H. de B. Bewley, Resident, Benin Province, at Agbor, sometime in the month of October, at the trial of R. D. Iyamu, Produce Examiner; if so, why?

Answer:—

The Resident who tried the case in question is now absent from the country on leave. He made no note of the incident to which the Honourable Member refers and no definite information is available on the subject.

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

4. In view of the recent reductions in duty by Government on kernels and palm oil in order to give natives full market value, what is the avowed policy of the Government in contemplating increase of examination fees?

Answer:—

Government is not, at present, contemplating any increase in produce inspection fees.

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

5. To ask what amount of poll tax is being paid by individuals at Akassa?

Answer:—

The rate of tax is seven shillings per adult male.

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

6. To ask if Government would not consider it advisable in view of the recent South-Eastern disturbances to reorganise the newly constituted Native Administration particularly in the Warri-Benin Provinces?

Answer:—

The compilation of intelligence reports is proceeding throughout the Eastern Provinces and also in Warri Province and in that part of Benin Province where Native Administrations have been newly constituted. Such re-organisation as is necessary is being based on these reports. Nearly the whole of the Warri Province has now been covered by intelligence reports and re-organisation of the Native Administrations has been started.

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

7. To ask what steps the Government propose taking in order to protect the lives of innocent travellers on the highroad throughout the Warri-Benin Provinces, as the recent case of attack on Mr. Smith, a European employee of the United Africa Company, whilst travelling between Sapele and Sapoba on the 11th October, 1930, calls for immediate action?

Answer:—

Government is not aware that the danger to the lives of travellers on the high road through the Warri-Benin Province is sufficiently great to call for any special measures at the present time. The motive of the attack made on Mr. Smith was robbery. The assailants have been arrested and identified and are now awaiting trial.

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

8. In view of the answer given in this Council on the 31st January, 1929, to question No. 34, to ask when the necessary provision will be made for the Hospital building, and to ask whether up till now Government has not seen the necessity of erecting a European sick rest house at Sapele considering the difficulties patients encounter in being removed from Benin, Agbor, Ashaka and Kwale to Warri?

Answer:—

A new operating theatre has been built at Sapele during the current year and the old Government School building has been fitted up temporarily as a female hospital ward. The financial state of the country does not yet permit building any further African hospital accommodation at Sapele. Provision has been made in the 1931-32 draft estimates for erecting a European sick rest house at Benin which is considered a more suitable situation than Sapele.

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

9. Considering the number of Assessment Clerks tried in the Benin Province for embezzling Native Treasury Tax money, to ask whether the system of collecting tax through Head Chiefs should not be substituted for one in operation in the other Provinces which has given satisfaction generally?

Answer:—

Five cases of embezzlement by assessment clerks of the Benin Native Treasury occurred in 1928. The system of tax collection has now been changed and since that time one case of embezzlement has occurred. The present system of tax collection has the approval of the Oba of Benin and his Council. It is proving satisfactory and no reason has been shown why any change should be made in it.

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

10. In view of the great dissatisfaction which exists among the Sobos at Jesse who are placed under the Benin Native Administration for the purpose of political division, to ask whether the time has not arrived for them to go under the Sobo Administration as Government is now establishing a scheme for the Sobo Native Administration?

Answer:—

The first definite steps towards the establishment of a Sobo Native Administration have been taken and from now onwards it should gradually develop. Once the Native Administration is firmly established in Warri Province the wishes of Sobo villages outside the provincial boundary to be included in the Sobo Native Administration will be considered.

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

11. As the system by which Political Officers determine the amount of tax payable by a village without any data as to the actual male residents is causing great dissatisfaction, to ask whether the Government will not devise some means to ascertain the actual male residents before assessment is made?

Answer:—

Government is not aware that Administrative Officers determine the amount of tax payable by a village without any data as to the actual male residents, neither is it aware that the present system is causing dissatisfaction. No villages have been asked to apply for re-assessment, if any dissatisfaction exists, but so far very few have availed themselves of the offer.

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

12. To ask whether Government will kindly consider the question of reducing the purchase price of £3 8s. which the public is paying for a grave-space of about three square yards, in view of the fact that the land was expropriated at a considerably lower figure and that the cost of each vault when erected is borne by the private owner thereof?

Answer:—

The charge for a vault space is £3 4s. and has been made for over thirty years. The charge for a grave space is 5s. The charges are reasonable and it is not the intention of Government to reduce them.

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

13. (a) To ask whether it is correct that Government has been, and is still, selling and/or leasing, to the public, sites on the Yaba Acquisition Area at a profit of about 400 to 600 per cent. of the purchase price? And

(b) Whether Government will kindly give a list of the lands that have up to the present been sold or leased to the public, showing (1) the price per square yard at which they were purchased from their original owners, and (2) the price per square yard at which they have been sold or leased to the public?

Answer:—

(a) The answer is in the negative.

(b) Eight plots have been sold and 462 leased. The plots which have been sold are mainly located within the areas for which the highest compensation had to be paid and the average rate of compensation per square yard paid by Government to the original owners was 3s. 5d. The average rate per square yard paid to Government by the purchasers was 2s. 5½d.

The plots which have been leased are similarly situated to those which have been sold, and, as the rent charged is based upon the capital value which would be charged on sale, the same relation between the rate paid by Government to the original owners as compensation and the rate per square yard received by Government holds good.

It is not possible to give lists of these plots in answer to a question but if the Honourable Member desires he can see the plans of the areas in question and receive further details on application to the Commissioner of Lands.

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

14. (a) To ask how many plots are there in the Yaba lay-out available to the public for building purposes?

(b) How many of these plots have already been taken up by the public?

(c) How many have actually been built upon? And

(d) For the erection of how many more have plans been already passed?

Answer:—

(a) Plots available for the public for building purposes 2,327

(b) Plots taken up by the public 470

(c) Buildings completed or in progress 87

(d) Further plans already passed 67

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

15. To ask for a statement defining the relationship of the Lagos Executive Development Board (1) to the Government, and (2) to the Lands Department, so as to make it quite clear to the public whether or not the Board is a Government Department?

Answer:—

The Honourable Member is referred to the Lagos Town Planning Ordinance (No. 45 of 1928) in which the composition, duties, and powers of the Lagos Executive Development Board are fully set out.

(1) With regard to the relationship between the Board and Government, the Board may suggest schemes of development and town planning for Lagos, but no scheme may be put into operation until it has received the approval of the Governor-in-Council. The funds at the Board's disposal consist of the amount shown in the schedule to the Loan Ordinance, 1929, as appropriated to Town Planning in Lagos;

(2) With regard to the relationship between the Board and the Land Department, the Commissioner of Lands is *Ex-officio* Chairman of the Board, and, as far as their normal duties will allow, other officers of the Land Department render assistance to the Board from time to time when required.

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

16. (a) To ask whether the Lagos Executive Development Board has ever taken and paid for legal opinion from sources outside the Law officers of the Government? If so,

(b) (1) How many times has such an opinion been taken,

(2) who are the solicitors whose opinions have been taken,

(3) how much has been paid in fees for same, and

(4) what created the necessity therefor?

Answer:—

On two occasions the Lagos Executive Development Board has obtained legal assistance from Messrs. Irving and Bonnar and the total fees paid to date amount to five guineas. The Board naturally requires legal assistance from time to time in the course of its duties and this is obtained in accordance with the Lagos Town Planning Ordinance (No. 45 of 1928), with the sanction of the Governor.

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

* 17. Directing the attention of Government to paragraph 6 of a Petition dated 4th October, 1930, addressed to the Lagos Executive Development Board (the text of which was published in the issue of the *Lagos Daily News* of October 19, 1930) wherein it is alleged that the Chairman of the Board explained to landowners at Suru Lere that "of the 280 feet of frontage to be acquired, eighty feet will be required for the carriage-way and 100 feet on either side will be parcelled out in allotments and sold at a profit in order to get money to carry on the work of constructing the carriage-way", to ask whether the inference to be drawn therefrom is that it is not intended by Government to use public revenue for the necessary improvements for carriage-ways in connection with the Town Planning Scheme, but rather to trade on larger areas of the people's land than what are actually required for public purposes, when from to acquire sufficient profit with which to effect the necessary improvements to streets and general construction of carriage-ways.

THE HON. THE COMMISSIONER OF LANDS:—

Negotiations are still proceeding with the owners of land at Suru Lere with a view to rectifying the haphazard manner in which development is taking place. Various proposals have been made both by the Development Board and by the owners and one put forward by the owners has recently been adopted in place of the proposal referred to in the question.

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

18. With reference to the tenders invited by Government for the purchase of the eighty-two houses, known as the "Town Council Houses" on the Yaba Estate, to ask—

- (i) why is this new departure of selling Government property by tenders instead of by public auction?
- (ii) Whether the houses are being sold without the land as the notice seems to indicate?
- (iii) Whether the purchaser of a house will have any title to the land,—and if so what kind of title?
- (iv) Who are the members of the Board appointed to sit over the tenders? or
- (v) whether the Honourable the Commissioner of Lands is to be "sole judge" in this instance?

Answer:—

- (i) The method of selling by tenders is a recognised method of disposal.
- (ii) The houses are being sold with the land.
- (iii) The title is freehold.
- (iv) The Board has not yet been appointed.
- (v) No, Sir.

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

19. (a) To ask how many circuits there are serving the electric light installations of private houses in the Municipal Area of Lagos?

(b) How many break-downs have occurred in each of these circuits during the last three months, and of what duration in each instance?

(c) What may be said to have been the principal cause, or causes, of these break-downs? And

(d) What steps, if any, have been taken, or are in contemplation, to prevent future occurrences of this nature?

An * asterisk before a question denotes that the Member asking that question desired an oral reply.

Answer:—

(a) There are twenty-seven feeder pillars with a total of thirty-six outgoing circuits and sixty-five sub-circuits serving private consumers of electricity in the municipal area of Lagos.

(b) Number of breakdowns during the three months ending, December, 31st, 1930.

Feeder Pillar.	Number of breakdowns.	Duration of each breakdown in hours.
Isalegangan ...	3	2½, 1½, 1.
Tinubu Square ...	8	1½, 1½, 2, 1, 1½, 1, 1.
African Hospital ...	2	1, 1.
P.W.D. ...	1	1.
Massey Street ...	10	1, 1½, 1, 1½, 1½, 1½, 1½, 2, 1.
Catholic Mission Street ...	4	1, 2, 4, 1.
Victoria Street ...	8	3, 2, 4, 1, 1, 1, 2, 1½.
Great Bridge Street ...	3	2½, 1, 1.
Bishop Street ...	7	2, 2½, 1, 1½, 1½, 2.
Dqemo Street ...	3	1½, 1½, 1.
Cold Storage Co., Ltd. ...	5	1½, 1½, 1, 1½, 1½.
Moloney Street ...	5	3, 1, 1½, 1½, 1½.
Porto Novo Street ...	5	3½, 2, 2, 2, 2.
John Holts, Ltd. ...	3	1½, 1½, 1.
Golf Road ...	1	1½.
Printing Office ...	4	1½, 1, 1, 1.
Odunfa Street ...	1	1½.
Olushi Street ...	3	2, 2, 1½.
Davis Street ...	1	2½.

(c) (1) In very many cases breakdowns are caused by irregularities and contravention of the regulations practised by consumers, who make unauthorised, defective and dangerous additions to installations, commonly using for the purpose worn-out material and improper and unprotected joints, and frequently building up their fuses to an extent that causes the fuses in the feeder pillars to blow out and shut down on the whole circuit.

(2) Circuits have to be disconnected a number of times to allow telephone wires to be installed across the lines or to permit new services to be connected.

(3) Some breakdowns are caused by branches falling on the wires, especially during storms.

(d) (1) Strénuous efforts have been made to prevent, detect and rectify the illegal practices referred to in paragraph (c) (1).

(2) Special funds have been provided for the re-construction and improvement of the old distribution system. Materials have recently been delivered and work is energetically proceeding and will be carried on as expeditiously as staff permits.

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

20. (a) To ask if Government will be pleased to give an indication of the yearly totals of poll-tax collected at Ifaro, Addo, Ilobi, Ipokra, and Oke Odan, during the years from April, 1914 to December, 1930?

(b) How have these monies been disbursed? and

(c) What was the balance in the Native Treasury of this district up to March 31, 1930?

Answer:—

(a) The figures required are being prepared by the Resident, Abeokuta, who will be pleased to give them to the Honourable Member at any time convenient to him.

(b) The monies have been disbursed in accordance with the printed estimates of the Ifaro Native Administration copies of which can be made available for the Honourable Member to see should he so desire.

(c) £10,679.

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

21. To ask who is the officially recognised paramount Natural Ruler in the Division of Ilaro and Oke Odan, and what is his annual stipend?

Answer:—

There is no officially recognised paramount native ruler in the Ilaro Division. The Division is divided into a number of districts of which Ilaro and Okeodan are two. The district head of Ilaro is the Olu of Ilaro and the district head of Okeodan is the Elerinja of Okeodan. The native authority for the Ilaro Division is the Native Court of Ilaro Division of which all district heads are members.

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

22. Referring to the reply given to question No. 41 (Legislative Council Debates, September 27, 1930, page 22) to ask for an indication of the means by which the Medical Officer, Ibadan, was able to arrive at a correct diagnosis of the illness of the late Mrs. Coker (which, presumably, he did before he gave instructions for that "necessary treatment" which the patient received at 4 p.m. "according to the record of the Case Book"), seeing that he never saw the patient, and the patient was not examined by any other medical practitioner, until 8.15 a.m. next day, that is to say, thirteen to fourteen hours after admission?

Answer:—

The Medical Officer in charge of the African Hospital, Ibadan, was able to arrive at a diagnosis of the illness of the late Mrs. Coker from the information given by the Dispenser on the telephone at 3.45 p.m. on the 18th August, 1920. After-events proved the diagnosis to be correct.

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

23. (a) To ask at what hours during the day time is the Medical Officer, Ibadan, supposed to make his two visits to the hospital as a matter of routine?

(b) What was the nature of the case to which it is said he was called, and in consequence of which he did not pay his routine visit to the hospital that evening?

Answer:—

(a) 8 to 9 a.m. and 7 to 8 p.m.

(b) An accident arising from a motor cycle collision.

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

24. As the report of the admission into hospital of the late Mrs. Coker and the gravity and extreme urgency of her case was presumably *immediately* reported to the Medical Officer by the Dispenser-in-charge, to ask—

(i) why did not the Medical Officer give the case the first and the immediate attention which obviously it officially, and professionally merited, by first visiting the hospital before going on to the other case, and

(ii) why did he not pay his second routine visit to the hospital to see the patient *after his return from that other case*?

Answer:—

(i) Because the illness for the first two or three days after admission was not one of gravity or extreme urgency.

(ii) Because after attending to the injuries of the accident case the Medical Officer in charge telephoned to the African Hospital and was informed that the late Mrs. Coker and other patients were comfortably settled for the night. It would not have been advisable to disturb them.

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

25. Whether the Honourable the Director of the Medical and Sanitary Service is satisfied that this delay of thirteen or fourteen hours in seeing a patient admitted into hospital (whose condition was on admission immediately reported to him) was unavoidable?

Answer:—

The answer is in the affirmative and the Director of Medical and Sanitary Service is satisfied that the delay in seeing this case in no way influenced the subsequent course of the illness which proved fatal nine days later.

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

26. Whether it is a fact that a few years ago a Medical Officer (an African) was relieved of his appointment in the service because it was alleged that he failed to give *immediate attention* to a patient who took ill in that very town of Ibadan under similar circumstances?

Answer:—

It is understood that an African Medical Officer was relieved of his appointment some years ago but the records giving the details and reasons are not available.

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

27. (a) To ask the Honourable Director of Public Works for a statement of the cost, as estimated by his Department, of the building and other materials, such as corrugated iron sheets; flooring and ceiling boards; windows, doors and frames; joists, and all other roofing materials; bath and lavatory fittings; ward and other furniture; pipes, bolts, hinges, etc., etc., removed in the dismantling of the old African Hospital, Lagos?

(b) Whether any Board of Survey was held over these materials? if so—

(i) When was it held,

(ii) who were the members of the Board of Survey, and

(iii) what were their findings?

(c) What portions of these joinery and other materials, if any, have been, or are still being, used as firewood; and under whose, or what, authority?

(d) Whether any portions, and if so what portions, have been sold by public auction; when and where did the sale take place; and what is the amount realised therefrom?

(e) If no sale has taken place, if no Board of Survey has been held over them, and if the materials have not been used for firewood, to ask what has become of them?

Answer:—

(a) It is impossible now to give an estimate of the value of the materials removed in the dismantling of the old buildings at the African Hospital, Lagos.

(b) No Board of Survey has been held.

(c) Useless and broken timber has been used as firewood for various purposes, and has been so disposed of under the authority of the Engineers in charge of the work at various times.

(d) No sales by auction have yet taken place.

(e) Materials have been used as follows:—

In the erection of the Stores Office, Office and Yard of the District Engineer, and the Plant Return Store, Ijora; and in various other buildings. In temporary offices and sheds at the African Hospital; New School, Oke Suna; and Mount Pleasant, Onikan. As shedding, scaffolding, etc., etc. Utilizable furniture and fittings have been reconditioned and re-issued as required. Surplus material and furniture, fittings, etc., are either still on the site or have been removed to the yards in Lagos or Ijora for re-use or for subsequent disposal.

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

28. (a) To ask the Honourable Colonel Rowe, the Commissioner of Lands, whether it is a fact that there is so little work for the large staff of his Department that it is a common thing for one or other of the members thereof to be engaged in private jobs in the office, during office hours?

(b) Whether it is a fact that not long ago, a fine was actually inflicted in one of the Provincial Lands Offices under him because some private work was being done in that office, *under instructions*, during office hours?

Answer:—

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

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

29. (a) To ask the Honourable Colonel Rowe, Commissioner of Lands, for a statement of the standard of qualification necessary for the post of Plans Officer in his Department?

(b) Whether that standard is possessed by each of his Plans Officers now under appointment? If not

(c) What standard of qualification have they, in surveying and drawing, and why were they appointed at all?

Answer:—

(a) The qualifications for the post of Plans Officer are a good practical knowledge of surveying or of the duties of a head draughtsman, with a general knowledge of plans and of the routine of a drawing office.

(b) Yes, Sir.

(c) The qualifications referred to in the reply to (a). These officers were appointed in order that the work of the Lands office should be efficiently carried out.

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

* 30. (a) As practically every instance in which Africans have been advanced, in the service, to what are known as "European" appointments, has been recorded in official reports as being satisfactory, to ask whether Government will be graciously pleased to state the reason, or reasons, for the sweeping pronouncement, in reply to Question No. 6 (Legislative Council Debates, September 27, 1930) that the duties attached to the office of Assistant District Officer in the Colony, (and even in the Provinces) cannot be performed equally efficiently by Africans with appreciable economy in the Estimates of Expenditure?

(b) Whether Africans have not in the past performed efficiently the duties of District Commissioners in British West Africa, including Lagos, retiring honourably on their well-earned pensions?

(c) Whether the African who, up to the present, has had the opportunity of holding the substantive appointment of Resident in the Colony, did not carry out the duties of that appointment with satisfaction to Government, and with appreciable economy in the Estimates of Expenditure?

(d) Whether no African Office Assistant in the Administrative Department, Northern Provinces, has ever been in efficient charge of the tax office of his province subject, of course, to the supervision of the Resident and the District Officer? And

(e) Whether African officials did not for many years carry out with every efficiency, instructions of the Honourable the Director of Public Works, or his representative, in connection with the housing of European officials in Lagos?

THE HON. THE ADMINISTRATOR OF THE COLONY:—

(a) In the opinion of the Government there are not at the present time Africans suitable to undertake the duties of an Assistant District Officer in the Colony.

(b) Information on which to answer this question fully is not available.

(c) If the Honourable Member is referring to Mr. Carr the reply is in the affirmative. The services of that distinguished and learned gentleman were highly appreciated by the Government.

(d) If the Honourable Member is referring to Local Treasuries in the Northern Provinces, Africans have been in charge of such offices.

(e) African officials used to carry out the housing instructions of the Honourable the Director of Public Works with efficiency.

Since that time the work has vastly increased in difficulty and quantity.

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

*31 (a) Whether the Honourable the Administrator of the Colony will kindly state the duties of the Secretary of the Race Course Board of Management, and the number of times the Board meets in any one year, in consequence of which it is stated, by Government, that Africans cannot efficiently hold that post? And

(b) Whether those duties are more difficult than those of the Secretary of the Glover Memorial Hall Board of Trustees which have for the last forty-three years been efficiently performed by Africans?

THE HON. THE ADMINISTRATOR OF THE COLONY:—

(a) The duties of the Secretary, Race Course Board of Management, are as a rule purely secretarial and few meetings are held. In 1927 three meetings were held, in 1928 two meetings, in 1929 four meetings, in 1930 two meetings. During 1930, however, there were improvements made to the Race Course and the playing fields and the Secretary assisted in supervising the work.

It has never been stated by Government that Africans cannot efficiently hold the post of Secretary of the Race Course Board of Management, and Government would welcome the appointment of an African to this post. As was stated in the reply to the Honourable Member's Question No. 6, at the meeting of this Council on the 27th September, 1930, the duties of Secretary to the Race Course Board of Management are carried out, among his other duties, by the Assistant District Officer at the Colony headquarters: this Assistant District Officer receives no extra emoluments in respect of his duties as Secretary of the Race Course Board of Management.

(b) The duties of the Secretary of the Race Course Board of Management can hardly be compared with those of the Secretary of the Glover Memorial Hall Board of Trustees.

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

32. (a) To ask for a statement of the number of bungalows for Europeans completed and finished, as well as the number still in building—

- (i) in the Colony proper
- (ii) at Ikoyi alone, and
- (iii) in the Provinces,

from April 1, to December, 1930, and their aggregate cost to the Revenue?

(b) What is the cost of the bungalow recently completed at Ikoyi (which is at present occupied by His Honour the Chief Justice of Nigeria) including furniture and all other fittings?

(c) Whether the expenditure of all that money in one financial year, on housing accommodation for European officials only, is not a disregard for the need for administrative economy so loudly advocated by Government during the opening meeting of the last session of this Honourable Council?

Answer:—

(a) The number of bungalows for European Officers completed and building during the period 1st April to December, 1930 is as follows:—

	Completed.	Building.
(i) In the Colony	1	1
(ii) In Ikoyi	—	—
(iii) In the Provinces	9	8

The aggregate expenditure during the present financial year on these nineteen bungalows, including furniture is estimated at £46,000.

The aggregate total cost is estimated at £48,000.

(b) The bungalow now occupied by His Honour the Chief Justice of Nigeria was completed in 1927 and cost £4,358 including furniture.

(c) The answer is in the negative.

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

33. (a) Referring to the answer to Question No. 8 (Legislative Council Debates, September 27, 1930, page 8), to ask whether Captain Royce, District Officer, Owerri, who was invalided to the United Kingdom soon after the subject-matter of the Question was referred to him, has sent in his reply? If so

(b) Whether Government will kindly lay that reply on the table of this Honourable Council, or make a pronouncement thereon?

Answer:—

As was stated in the course of the reply to the question of the Honourable the First Lagos Member on this subject at the meeting of this Council on the 27th of September, 1930, Captain Royce made a report on the incident referred to. Not only has no complaint regarding this matter been brought to the notice of the Resident, but His Honour the Lieutenant-Governor has received assurances that the matter has been amicably settled. In the circumstances Government did not regard as necessary a further report from Captain Royce.

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

34.—Disallowed.

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

35. (a) As the stock of drugs, druggists' sundries, dressings, and other surgical appliances in public hospitals and dispensaries are provided and maintained from public funds, to ask whether the privilege of having their prescriptions dispensed at public hospitals and dispensaries, at present granted only to, and enjoyed only by, Government Medical Officers, may not be made to extend to all registered medical practitioners in the Colony whether they be Government medical officers, or not? If not,

(b) to ask why not?

Answer:—

The answer is in the negative for the following reasons:—

- (i) It would necessitate an increased dispensing and clerical staff which is not available and for which funds are not provided.
- (ii) It is unnecessary as there are sufficient Drug Stores and Chemist's Shops to meet the needs of private practitioners.

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

36. (a) To ask whether Government will give an indication of the reason, or reasons, why officials of the Education Department who like every other European official draw the emoluments and allowances of their respective appointments, should be allowed to draw extra allowance for correcting examination papers of Government Examinations?

(b) Whether there are not a host of officials of various other departments of Government who are constantly doing official work in or out of the office after office hours and who are granted no extra remuneration therefor? And

(c) Whether it is not desirable that the whole question of "overtime fees", or "extra allowance", be reconsidered by Government with a view of establishing some form of uniformity which will either abolish "overtime fees" paid directly from Revenue or, if funds will allow, make the payments thereof general to all departments?

Answer:—

(a) Officers of the Education Department draw allowances for the Clerical Service Examinations. This work is outside the ordinary scope of their duties and is of such a nature that it is considered that allowances can reasonably be paid for it.

(b) Yes, Sir.

(c) The policy of the Government is to abolish extra allowances whenever this can be done with justice.

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

*37. (a) To ask for a statement of the amount of money that is being earmarked in the Estimates of Expenditure for the next financial year for the building and furnishing of bungalows for European officials—

(i) in the Colony proper; and

(ii) in the provinces?

(b) Whether in view of the existing financial stringency and fall in Revenue, this particular item of work together with all other items relating to the building and furnishing of public offices may not be held over on grounds of economy?

THE HON. THE DIRECTOR OF PUBLIC WORKS:—

(a) Provision for European bungalows and furniture in the Draft Estimates for 1931/32 is as follows:—

(i) In the Colony	...	...	...	...	...	—
(ii) In Provinces	...	...	...	...	...	£30,000

These items are exclusive of bungalows that may be built in connection with the schemes for Higher Colleges at Yaba and Zaria.

(b) Provision is being made only for work which is urgently required and which in the interests of essential efficiency cannot be deferred.

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

38. (a) To ask for an indication of the nature of the official work which is being performed in the residences of the under-mentioned officials before, during, or after office hours, to facilitate which telephone services are installed and maintained in these private residences at public expense?

Namely—

1. The Auditor.
2. The Commissioner of Lands.
3. The Director of Education.
4. The Chief Registrar, Supreme Court.
5. The Postmaster-General.
6. The Deputy Postmaster-General.
7. The Comptroller of Posts.
8. The Telegraph Instructor.
9. The Telegraph Engineer.
10. The Government Printer.
11. The Senior Executive Engineer, P.W.D.
12. The Chief Storekeeper, P.W.D.
13. The Mechanical Engineer, P.W.D.
14. The Transport Officer, P.W.D.
15. The Maintenance Engineer Water Works.
16. The Surveyor-General.
17. The Assistant Surveyor-General.
18. The Chief Accountant, Railway.
19. The Paymaster, Railway.
20. The Works Manager, Railway.
21. The Mechanical Engineer, Town Council.

(b) If these installations are merely luxuries indulged in for the purpose of maintaining the prestige and dignity of the respective appointments held by the officials occupying the residences, to ask whether in these days of stress when economy is so obviously desirable Government will not relieve the Revenue of the expenditure of these installations until such time that the Revenue can conveniently afford them, or call upon these officials to pay the general fee of £20 *per annum* by the general public?

Answer:—

These telephones have in the past been considered to be necessary. The whole question of telephones in Government quarters will be reconsidered.

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

39. (a) To ask whether Government is contemplating on grounds of economy any form of retrenchment amongst African officials in the service? If so,

(b) To ask whether the whole question of allowances, as distinct from emoluments (such as duty allowance, motor allowance, transport allowance, bush allowance, seniority allowance, overtime fees if paid directly from Revenue, kit, or outfit, allowance, garden allowance if any, etc., etc.), may not first be reconsidered by Government with a view of their abolition or suspension until such time as the Revenue would be much more satisfactory than it is at present?

Answer:—

Government is not contemplating any form of retrenchment amongst African officials in the service: the second part of the question does not therefore arise.

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

40. (a) To ask for an indication of the results so far as the finished products are concerned, of—

- (i) the "co-ordination" (which is supposed to have been effected between the various educational systems of the Missions and Government),
- (ii) the "effective control" (said to have been instituted over teacher-training, and many other matters of school-management),
- (iii) the exercise of far greater supervision over the activities of the schools, and
- (iv) the wide expansion of the system of state-aided schools, all of which are said to have been the outcome of Mr. Grier's educational policy since its introduction in 1927?

(b) Whether those *finished products* have shown greater efficiency either in the examination room, in Government offices, or in the offices of commercial firms than the *finished products* of the former policy? If so,

(c) In what way?

Answer:—

(a) It is impossible to estimate arithmetically the results of an educational policy on the individuals who have emerged from the system and taken their places in various posts throughout the country. Moreover, the rapid expansion of the schools has made the maintenance of a standard a matter of great difficulty. It is, however, generally admitted that co-ordination between Missions and Government, effective control over teacher-training, the exercise of greater supervision and the wide expansion of the system have been productive of appreciable results in educational values.

(b) In view of the difficulties in assessing the efforts of individuals in various Government and private posts, no definite reply can be given to the second part of the question.

(c) Does not therefore arise.

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

41. To ask—

- (i) for a clear definition of the duties of the newly appointed Masters of Method, Education Department;
- (ii) what need there is in Nigeria for such new appointments; and
- (iii) how is that need so absolutely urgent and important that the Honourable Mr. Hussey, the Director of Education, has not hesitated to ask for, and Government has not hesitated to sanction, such further new appointments in a Department already over-flooded with a stream of Superintendents and other new appointments and at a time when economic stress, with the alarming fall in the Revenue has become so acute in the Colony?

Answer:—

(i) The duties of Masters of Method consist in the training of teachers.

(ii) The need for such posts corresponds to the need for teachers all over the country.

(iii) The provision of a sufficient number of qualified teachers is so vital to the whole educational system, that, unless immediate steps were taken to extend such facilities, the whole educational scheme would suffer and lack of good grounding in the lower schools would make the attainment of a high standard in the upper schools very difficult or impossible of achievement. As the provision of education facilities in the higher stages provides the only satisfactory means of reducing the cost of personnel, one of the most important items in Government expenditure, the fact of financial difficulties accentuates the urgency of the service. In spite of great expansion of work, the total number of Superintendents of Education for the Northern and Southern Provinces has been reduced since the beginning of 1930 by thirteen, which more than compensates for the appointment of Masters of Method.

THE HON. THE MEMBER FOR THE OYO DIVISION (MR. A. S. AGBAJE):—

42. To ask whether in the interest of economy, and in view of the present financial stress, Government will not restrict recruiting of Cadets?

Answer:—

The attention of the Honourable Member is invited to paragraphs 22-23 of the Memorandum on the Estimates.

The whole question is being very carefully considered. Revised lists of duty posts essential for the administration of Nigeria are being prepared. When these lists are completed allowances will be made for leave, reliefs, and normal wastage, and recruitment will be restricted to the number necessary to maintain the Adminis-

THE HON. THE MEMBER FOR THE OYO DIVISION (MR. A. S. AGBAJE):—

43. To ask how far the Government has proceeded in the scheme for electric light and water supply for Ibadan, and when that scheme will be commenced and what is the estimated cost to Government or the Native Administration?

Answer:—

A final decision in regard to the site for the Electric Power Station has only just been made. Preparation of plans will now proceed. The cost of the Lighting Scheme is roughly estimated at £70,000.

A special Royal Engineer Survey Party, is now engaged on survey work in connection with the Water Scheme, but an estimate of the cost of the scheme cannot yet be given.

In neither case is it possible to say when work will begin.

THE HON. THE MEMBER FOR THE OYO DIVISION (MR. A. S. AGBAJE):—

44. To ask what steps the Agriculture Department have taken to deal with black pods and fari-fari, whether the Native Authorities have been asked to co-operate or could co-operate in dealing with the danger to the cocoa interest. What advice is being given and what is the remedy proposed for exterminating the disease?

Answer:—

In 1922 the Agricultural Department made investigations into "black pod" disease and it was proved that while the complete removal of all black pods over a very large area might reduce the infection the degree of plant sanitation possible for the ordinary farmer will have no great effect. It must be accepted that it is impossible to exterminate the fungus causing this disease which probably exists in every cocoa growing area in the world. If, however, the small and worthless infected pods are regularly removed and dried the intensity of the infection is reduced and the crop is not seriously affected. This advice has been given to farmers by the Agricultural Department for some years. The controlling factor in the disease is humidity.

Fari-fari is generally considered to be due to unfavourable conditions of environment which causes the branches to die back. Assistance has been given by the Agricultural Department in pruning trees and by advising as to the general care of cocoa farms. Both this disease and black pod might be reduced by altering the conditions of cultivation, such as by reducing the humidity of the environment by thinning out trees from the stand, but this will lead to a loss of crop greater than that caused by the disease. The areas cultivated by farmers in West Africa greatly exceed in yield those of other countries and it has been proved in the Gold Coast that the yields of closely planted areas are approximately double those of Agricultural Department stations, as the high humidity which encourages these diseases is also conducive to high yields.

The co-operation of the Native Administrations has not so far been utilised but the matter will receive consideration.

THE HON. THE MEMBER FOR THE OYO DIVISION (MR. A. S. AGBAJE):—

45. In view of the general cry of the scarcity of money; to ask whether the Government would not consider the advisability of importing the metallic one-tenth of a penny and half pennies in large quantities, to enable more circulation of them in the Southern Provinces, for the benefit of the poorer classes?

Answer:—

No demand for nickel tenths of a penny has been received in respect of stations in the Southern Provinces but should such a demand arise the Government will endeavour to make arrangements to meet it. Nickel tenths are imported for circulation in the Northern Provinces where a diminishing demand exists. Nickel half pennies are already in circulation but up to the present there has been no special demand for this denomination which ordinarily circulates with the nickel penny.

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

46. To ask the Honourable Mr. E. R. Hussey, Director of Education, whether in the interest of the progressive development of Education (which through the recently imposed duty on stationery must suffer by the increase of selling price throughout the country), he will be disposed to recommend the removal of that impost especially as in almost all the schools in Nigeria to-day the use of slates has been abolished?

Answer:—

Government, in view of the reduction of export duties, very reluctantly put a duty on stationery but would have preferred to exclude stationery imported for use in schools if it had been possible to guarantee that a portion of such stationery would not be bought

and used for general purposes. In the circumstances the Director of Education is not prepared, at present, to recommend to Government that the import duty on stationery imported for use in schools be removed.

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

47. (a) To ask whether it is a fact that Oyo Province is the only area in the Southern Provinces from which the Honourable the Administrator of the Colony has never yet been able to effect the refund of any sum paid as poll-tax by natives of that province although proofs may be forthcoming and given that the same persons are paying, or have paid for that year, income tax to the Administrator? If so

(b) To ask why should there be this difficulty? And

(c) If the difficulty is insurmountable to ask whether the alternative of a refund of the income tax may not in fairness to the tax payer be adopted by Government?

Answer:—

(a) It is not a fact that Oyo Province is an area from which no refunds of tax can be effected. Refunds have been made.

Questions (b) and (c) do not therefore arise.

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

48. (a) To ask whether it is a fact that poll-tax is in the Oyo Province demanded and collected yearly from heads of families for each member of the family even though that member may be, and has for years been, residing outside the province, or may have died and been buried?

(b) Whether it is also a fact that in the Oyo Province poll-tax is demanded and collected from school boys and farm hands under the age of sixteen years? If so

(c) To ask—

(i) whether similar practices are obtaining in the other provinces; and

(ii) whether Government will give an indication of the Ordinance or Regulation making provision for such imposts?

Answer:—

(a) Poll-tax is not collected in Oyo Province; but tribute is collected through heads of compounds from its members temporarily residing abroad if they retain an interest in property in the Province. It is not the practice to collect tribute on account of deceased persons.

(b) It is not the practice to collect tribute from school boys and farm hands under the age of sixteen years.

(c) This question does not therefore arise.

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

* 49. (a) In view of the fact that Mr. C. B. Olumuyiwa is an official of the Town Council seconded from the Treasury Department, to ask whether Government will not favourably consider the remission of the punishment inflicted upon him for the offence committed by Mr. P. Martins who, as paymaster, defrauded the Lagos Town Council to the extent of £33 0s. 1d. for which he (Mr. Martins) has been tried, convicted, and imprisoned? If not,

(b) To ask whether Government will not be disposed to apply the principles and policy which Government generally applies to cases of loss of Government monies (as stressed by the Acting Treasurer during the last sitting of this Honourable Council and which were applied to the case of the loss of trinkets from the safe of the Official Administrator and Public Trustee), if Government is satisfied that any portion of responsibility or blame for the loss of that money can be brought home to Mr. Olumuyiwa?

THE HON. THE ADMINISTRATOR OF THE COLONY:—

(a) Mr. C. B. Olumuyiwa is Accountant of the Town Council having been appointed to the post originally held by an European; he is not seconded from the Treasury Department.

(b) The question is therefore one for the Town Council, which is a corporate body. This officer has presented a petition, which is being referred to the Town Council for consideration.

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

*50. To ask whether it is not a fact that there was no system in operation in the Town Council by means of which Mr. C. B. Olumuyiwa could have had control and check over the pay clerk in the exercise of his duties as Accountant, and that the system was only inaugurated and introduced *after* the discovery of the pay clerk's defalcations and *after* Mr. Olumuyiwa had been punished for the sins of the pay clerk?

THE HON. THE ADMINISTRATOR OF THE COLONY:—

The answer is in the negative.

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

*51. In consideration of the fact that Mr. P. Martins as pay clerk (or paymaster) was duly secured on a bond of £50, to ask whether this loss of £33 0s. 1d. through Mr. Martins' personal dishonesty does not create a legitimate claim against the Board of Directors of the Public Officers' Guarantee Fund?

THE HON. THE TREASURER:—

No claim has been made upon the Directors of the Public Officers' Guarantee Fund by the Local Authority who employed Mr. Martins and in the absence of this it is not possible to say whether or not the loss in question would constitute a legitimate claim against the Fund.

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

52. (a) To ask whether Medical Officers in charge of hospitals in the provinces North and South, are expected to, and do, make two daily routine visits to the respective hospitals over which they are in medical charge, and whether those days include Sundays? If not,

(b) To ask how often do they make routine visits to the hospitals

(i) on week days; and

(ii) on Sundays?

Answer:—

Departmental Instructions to Medical Officers are that Hospital wards should be visited morning and evening. Sundays are not mentioned but are implied. These instructions are carried out generally by all Medical Officers in charge of hospitals both on week days and on Sundays except upon an occasion of emergency when the Medical Officer's service may be required elsewhere, or when an officer in charge of a small hospital may be absent from his station upon inspection duty in a Province.

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

53. (a) Is it a fact that interpreters of the Provincial Court in some of the Eastern Provinces are in receipt of motor car allowance?

(b) If so, does the Government subscribe to the fact that the salaries of interpreters warrant them buying and keeping cars?

(c) If on the other hand these interpreters can not reasonably be expected to provide themselves with motor cars does not the fact of their receiving motor car allowance give ground for suspicion that the Government wink at the idea that interpreters are expected to augment their salary by insisting upon and taking money from litigants in the Provincial Courts.

Answer:—

(a) No, Sir.

(b) and (c) Do not therefore arise.

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

54. (a) Are there any interpreters of the Supreme Court who receive motor car allowance?

(b) If not, what is the reason for the difference made in this respect between interpreters of the Supreme Court and interpreters of the Provincial Courts.

Answer:—

(a) The answer is in the negative.

(b) In view of the reply to Question 53 this does not arise.

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

55.—*Disallowed.*

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

56.—*Disallowed.*

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

57. Will Government give instructions to the various members of the Provincial Courts to keep a strict watch on the activities of interpreters of Provincial Courts so as to hinder them as much as possible demanding and accepting bribes from litigants thereby bringing the administration of justice in Nigeria into evil repute.

Answer:—

Specific instructions are not considered to be necessary.

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

58. In view of the state of affairs referred to in the above questions and the recommendation of the Commission of Inquiry into the disturbances in the Calabar and Owerri Provinces "that means should be devised whereby Administrative Officers should be relieved in their judicial work . . . so that they may have more time to devote to true administration work" will the Government take immediate steps to relieve these officers of their extraneous duties by appointing qualified legal men to take up their judicial business.

Answer:—

The Honourable Member has misquoted the Commission. Consideration is being given to the Commission's recommendation. Judicial functions are not considered extraneous to the correct duties of Administrative Officers.

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

59. In view of the evidence that "the Chiefs are killing us" given at and the recommendations of the said Commission of Inquiry in respect of the working of the Native Courts will Government now consider the advisability of either abolishing these courts altogether, granting the litigants in these courts the right to appeal to a proper Court of law or take steps to reorganise these courts so that they will constitute more legal and conscionable tribunes from the natives of the Protectorate.

Answer:—

Native Courts deal mainly with native law and custom and are the Courts best fitted to decide such cases. It is not considered that a general right of appeal would be in the best interests of the native population.

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

60. In view of the opinion of the Commission that the Natural Rulers of the people have not yet been discovered and recognised as such will the Government reconsider its policy of indirect rule so far as the Southern Provinces of Nigeria are concerned so that the natives may have the benefit of more direct rule until such

time as these natural rulers when discovered have been educated in the ideas of indirect rule as conceived by the Government of Nigeria?

Answer:—

Government is not prepared to reconsider its policy of indirect rule. The best method of carrying out this policy is being evolved in the light of careful investigation.

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

61. (a) Seeing that about a year has lapsed since the answers were furnished to questions 39 and 41 at the sitting of this House on the 30th of January last have any further steps been taken and any definite progress achieved in respect of the subject of these questions?

(b) And if not, will Government give reasons for the delay?

Answer:—

With reference to Question 39 at the meeting of this Council of the 30th of January, 1930 no further steps have been taken with regard to an electrical scheme for Calabar owing to the financial situation.

With reference to Question 41 at that meeting extensive repairs to the Ivy Pier were carried out during the latter part of 1929 and the early part of 1930. Two mooring buoys were laid down in March, 1930 at a cost of £900 to enable large vessels to berth alongside. Up to date no use has been made of the facilities provided.

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

62. With reference to question 42 at the same Session the information required is, what are the proportions of income, revenue, profit or other gain derived by Government from land in the Protectorate taken and acquired by Government since 1920 and retained by Government for whatever purpose or afterwards sold, leased or given out by Government to European firms or others, that have been paid by Government to the Natives of the Protectorate original owners of the land?

Answer:—

Lands required by Government are acquired either absolutely for a term of years or for so long as they may be used for public purposes. The consideration takes the form of a lump sum payment or a definite specified annual rental. In no circumstances does the consideration take the form of a payment to the original owners of a proportion of any "income, revenue, profit or other gain" which may accrue.

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

63. In view of the steady and alarming growth of the list of pensions and gratuities payable out of the revenue of Nigeria has the Government ever considered any scheme for reducing such rate of growth?

(b) If not, will Government, in order to bring about such a reduction and if possible keep down the burden to the country and the difficulty to Government which must otherwise inevitable result, consider a scheme for training Africans to gradually take the place of more Europeans in the higher offices of Government than at present obtain.

Answer:—

(a) The steady growth of the pensions list engages the constant attention of the Government.

(b) A scheme is in existence for training Africans to take the place of Europeans in due course in certain offices and the extension of the scheme depends on its success.

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

64. In view of the fact that Medical Officers stationed at Sapele, Benin, Agbor and Warri have very extensive areas to traverse, which sometimes takes them away from their headquarters for some days, during which interval patients are not treated whatever the condition of that person may be, particularly at Sapele, to ask whether the Government will not consider the advisability of appointing African Medical Officers as Assistants to the European Officers stationed at the stations referred to above?

Answer:—

These four stations form a close group in which less travelling is done than in any other part of the country and if further Medical personnel was available it would certainly be absorbed elsewhere, where the need is greater.

The main purpose of the Medical School at Yaba is to train Africans to become District Medical Assistants.

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

65. (a) To ask how many new appointments of Europeans were made into the West African Medical Service for duty in Nigeria during the period from April to December, 1930, inclusive?

(b) How many of the holders of those appointments had recognised qualifications in tropical medicine, hygiene, or sanitation, either on appointment or before assumption of duty?

(c) How many had any previous experience in general practice, or held hospital or dispensary engagements, before appointment and arrival in Nigeria for duty?

Answer:—

(a) Four Europeans joined the West African Medical Staff during the period from April to December, 1930.

(b) All before assumption of duty.

(c) All had either been in private practice or had held hospital appointments.

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

66. (a) Of what practical utility has the expenditure from public funds of £1,109 11s. 3d. for aviation purposes been to Nigeria?

(b) Whether any contribution on the principle on which port dues are paid into the revenue by steamship companies, and private yacht owners, is made by aeroplane owners for the use they make of the aerodrome at Apapa? If so,

(c) What is the amount of contribution to date?

Answer:—

(a) It is hardly to be expected that progress can be made in developing aviation in this country without incurring expenditure in preliminary work and investigation, the practical utility of which will become apparent in due course. The tangible result of the expenditure referred to is evident in the shape of ten landing grounds situated at various places in Nigeria in more or less advanced stages of completion. The increasing use of aeroplanes throughout Africa renders it desirable that Nigeria should keep pace with adjacent countries in this respect.

(b) No dues are charged at present, but provision for landing fees has been included in the draft directions made under the Air Navigation Order-in-Council which will be enacted when the aviation policy of Government is determined.

(c) In view of (b), does not arise.

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

67. (a) Pursuant to the reply given to question No. 20 at the meeting of the Legislative Council held on the 23rd of June, 1930, to ask for a statement of the cost to the revenue for passage to and from Nigeria, allowances, emolument, and Crown Agents' fees, in respect of Mr. J. W. Barr's six weeks appointment in the Marine Department?

(b) Whether no indemnity is recoverable from him for that amount in view of the fact that he accepted an appointment the duties of which he knew he was incapable of discharging? If an indemnity is recoverable,

(c) How is it Government seems satisfied with the statement that "nothing has been recovered"? And if no indemnity is recoverable,

(d) To ask whether it is not desirable that such uneconomic expenditure of public money be safeguarded against in future?

Answer:—

	£	s.	d.	£	s.	d.
(a) Cost of a second-class passage out from England—net	36	15	6			
Crown Agents' charge	1	10	0			
				£38	5	6
Cost of a second-class passage to England plus Harbour Dues ...				38	14	0
Outfit Allowance	45	0	0			
Crown Agents' charge—one per cent.	0	9	0			
				£45	9	0
Crown Agents' 2½% on commencing salary of £400 per annum ...	—			10	0	0
One month's salary paid in Nigeria in lieu of notice	—			33	6	8
Total	—			£165	15	2

(b) Mr. Barr failed to appreciate that he was incapable of discharging the duties expected of him till he had had actual experience of the handling of the bar tugs under local conditions. His previous experience had been in smaller craft where conditions were not so difficult. It is almost impossible to get men with experience of such work at the salary offered and the Crown Agents have to be relied on to get the best men available.

(c) The Government has no option as Mr. Barr was entirely without means.

(d) Yes, Sir, and every possible precaution will be taken.

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

* 68. (a) Directing the attention of Government to paragraphs 285 to 291, inclusive, of the Report on the Outbreaks of Plague in Nigeria, 1924-26, by Colonel Sir E. N. Thompson, to ask whether it is not a fact that the health authorities have been and are still confining themselves to the reason of the necessity "to open up congested sites" as "the object of demolishing houses in Lagos", and because the dwellings cannot be satisfactorily disinfected?

(b) How many houses have thus been demolished by the Health Authorities from January to December, inclusive, 1930?

(c) Whether the measures taken by the Health Authorities in demolishing these houses, without an order of the Court, are in line with what Public Health Authorities have to do in England?

If not,

(d) To ask whether Government will kindly make a statement of the procedure that obtains in England in such cases? And

(e) Why is it compensation is not paid to house-owners for the demolitions, seeing that the houses are demolished more for the purpose of opening up congested areas than because they cannot be satisfactorily disinfected?

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

(a) It is not a fact.

(b), (c), (d) and (e) therefore do not arise.

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

69. (a) To ask whether the amendment to the Building Bye-laws, in order to make provision for the use of cheaper materials for building purposes because of the existing hardship due to the abnormal state of trade (*vide* reply to question No. 16 Legislative Council Debates, September 29, 1930), has been completed, and approved? If so.

(b) What is the nature of the amendment? And

(c) Whether the amended Bye-laws have been put into operation?

Answer:—

The amended Bye-laws making possible the use of cheaper materials (No. 1 of 1931) were published in *Gazette* No. 5 of the 15th of January to which the Honourable Member is referred for details.

The Bye-laws took effect from the 15th of January.

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

*70. (a) To ask whether strict economy compatible with efficiency was the object Government had in view when the recommendation for the creation of a new appointment, that of Comptroller of Posts, Posts and Telegraphs Department, and for an additional Surveyor, or Assistant Surveyor, to the European Staff of the Marina Post Office, was approved?

(b) To what great extent was the efficient working of the Department suffering, or the public inconvenienced, prior to the creation of the appointment, and the addition to the European Staff, which has made these appointments so absolutely necessary as to outweigh all considerations for the increase in the Department's Estimate of Expenditure created thereby, these hard times?

(c) What is the increase involved *per annum* in these two appointments, including emoluments, all allowances, and Crown Agent's fees?

THE HON. THE POSTMASTER-GENERAL:—

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

(b) The Posts and Telegraphs Department was re-organised in April, 1930, and the appointment of Controller of Posts first appeared in the 1930-31 Estimates. Prior to the re-organisation there was no one officer at the head of the survey or traffic branch whose duty it was to co-ordinate the work of that branch of the Department on an economical and sound basis.

The appointment of a Surveyor to take charge of the General Post Office, Lagos was necessary because the volume of Postal work has increased by fifty *per cent.* during the past seven years and the responsibility, and the complexity of the work, have correspondingly increased. In addition, this newly appointed Surveyor will be in charge of the Central Telegraph Office which is being transferred to the General Post Office next month.

(c) The creation of the appointment of Controller of Posts did not cause any increase in the Personal Emolument Estimates as it was possible to show equivalent savings. The appointment of a Surveyor to take charge of the General Post Office, Lagos, caused an increase in the Personal Emolument Estimates of £100 *per annum*, but savings under other items of the Personal Emolument Estimates for 1930-31 more than compensated for this small increase.

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

71. In view of the existing financial depression and of the fact that telephone-service is an important asset in any community, to ask whether Government will not favourably re-consider the question of reducing the existing telephone-rent of twenty pounds *per annum*, and at the same time of granting facilities to subscribers to pay the rent half-yearly, or even quarterly, instead of yearly?

Answer:—

In reply to the first part of this question the Honourable Member is referred to the reply to question No. 56 at the meeting of this Council held on the 28th September, 1929, since which date the position has not changed.

Telephone rates have again been carefully examined from every point of view and inquiry shows that the present flat rate of £20 *per annum* is low, as compared with many other Crown Colonies. It is not proposed to make any change in existing rates until such time as the Telephone Exchange in Lagos is transferred to the General Post Office and reconditioned when it will be necessary to introduce rentals based on radial distances from the exchange and/or on the principle of a minimum guarantee plus one penny a call.

There is no objection to the Honourable Member's suggestion in the second part of this question to introduce half-yearly payments for telephone rentals and steps will be taken to give effect to the suggestion. It must, however, be understood that the Postmaster-General reserves to himself the right to require any subscriber to enter into an agreement for a period not exceeding five years to ensure that the capital cost of installing a telephone is recovered.

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

72. (a) To ask whether the nomination of the Venerable Archdeacon Basden into a seat in the Legislative Council is in place of the late Honourable Chief Mba who during his membership of Council sat as *Member for the Ibo Division* representing African interest? If so, and as the appointment of the Venerable Archdeacon will render the already small minority of African Membership still smaller,

(b) To ask why is it an African has not been appointed in the place of the late Honourable Chief who as the first holder of the seat was himself an African Chief representing an African interest? And if the appointment is not in place of the Honourable Chief Mba,

(c) To ask what interest, or constituency, is the Venerable Archdeacon to represent?

Answer:—

(a) The reply is in the affirmative.

(b) The appointment is by the Governor in the exercise of his discretion.

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

73. (a) To ask whether it is possible for Government to make any savings by way of reduction in the large sum of £23,546 which is being expended annually under *Recurrent Expenditure* by the forty Departments of Government specifically for stationery only, of which sum the Printing Office spends £5,000; the Railway £1,080; Nigeria Regiment £1,400; Public Works Department £1,950; Provincial Administration, North and South, £3,700; and Marine Department about £1,000 including the purchase of periodicals?

(b) What becomes of the periodicals paid for by the Marine Department since the purchases are being made?

(c) What class of periodicals are ordered, in whose custody are they kept, and to what use are they put?

Answer:—

(a) As the Honourable Member will see from the draft Estimates for 1931-32 it has been found possible to make reductions in the allocations for stationery in a number of Departments. The estimate for the Marine Department for the current year is £750.

(b) and (c) The periodicals supplied consist of essential nautical books of reference such as Nautical Almanacs, Admiralty Tide Tables, Lloyd's Register, Board of Trade marine publications, signal books and technical marine, engineering and accounting journals. These are circulated to the departmental officers concerned and filed for reference at headquarters after pertinent extracts have been noted.

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

74. To ask for a statement of the number of deaths per thousand amongst the inmates of each of the prisons in Nigeria and the principal causes of death in each prison during the year ended December, 1930?

Answer:—

Northern Provinces.—

Kaduna 5.23 per thousand. Actual death one.

Lokoja 19.8 per thousand. Actual deaths two.

Jos 54.84. Actual deaths five.

Yola 55.5. Actual death one.

Sokoto 71.43. Actual death one.

Causes of death, one pneumonia, two amoebic dysentery, two heart failure, one acute polyserositis, one chronic interstitial nephritis, one myocarditis, one epilepsy and debility, one generalised septicæmia. Average deaths per thousand Northern Provinces Government Prisons, 1930, 17.78. Above statistics refer only to Government prisons. Statistics regarding the Native Administration prisons in the Northern Provinces are not yet complete for 1930 but should the Honourable Member desire them they will be supplied in due course on application to the Secretary, Northern Provinces.

Southern Provinces and Colony.—

The Honourable Member will realise that to give here the detailed information for which he asks, which involves separate figures for the forty-six prisons in Southern Nigeria, would entail a very elaborate reply. The separate figures have been prepared by the Director of Prisons who will be pleased to give them to the Honourable Member at any convenient time.

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

75. (a) To ask whether complaints of alleged shortage of food amongst the inmates of the Lunatic Asylum, and the Leper Asylum, Lagos (referred to in one of the local periodicals sometime last year which presumably was brought to the notice of Government), were investigated? And if so,

(b) With what results?

Answer:—

(a) No complaints were received in regard to the feeding at the leper asylum. One complaint was made from the lunatic asylum to the Medical Officer in charge as to the quantity of food, and he investigated it.

(b) The complaint was found to be unjustified.

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

76. (a) To ask whether a Surgical Specialist for duty in the Hospital for Africans, Lagos, has been appointed in place, and since the death of the late Dr. Parkinson? If no appointment has been made,

(b) To ask how soon is one likely to be made in view of the importance of this hospital in the town of Lagos?

Answer:—

(a) There is no such appointment as Surgical Specialist in the West African Medical Staff.

(b) A Specialist has been in charge of this hospital ever since the death of Dr. Parkinson.

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

77. (a) To ask whether there are any measures in contemplation by Government with a view of relieving unemployment in the country?

(b) Whether with the prevailing hard times and scarcity of money from bad trade all over the country, and the fact that the estimated surplus balance on the 31st of March, 1931, is as much as £3,967,527, the necessity for a reduction in the incidence of taxation, direct and indirect, does not arise?

Answer:—

(a) The answer is in the negative.

(b) Government has already granted relief by removing the export duty on groundnuts and by reducing it in the case of palm oil and palm kernels. Reductions have also been made in the railway rates on produce for export. It is essential that annually recurrent revenue should exceed annually recurrent expenditure. Further reductions in taxation will render this impossible and lead to raids on the Surplus Balances on which the steady development of Nigeria depends.

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

* 78. (a) Considering the fact that the Chairman and Members of the Aba Commission have in a thorough and painstaking manner carried out their task, and have found after careful deliberation that the majority of the firings which resulted in the death of over fifty unarmed women and the wounding of over another fifty, were not justified, to ask whether the Government of Nigeria proposes to institute any legal proceedings against the officers and other persons upon whom direct responsibility has been fixed by the Commission in order to bring them to justice? Or

(b) Whether Government has recommended to His Majesty's Principal Secretary of State for the Colonies any measure of punishment that should be inflicted upon such "officers and other persons" who are guilty of those unjustifiable firings as pronounced by the Commission?

HIS HONOUR THE LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

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

With regard to the second part of the question the Government is not prepared to disclose the terms of its communications to the Secretary of State for the Colonies.

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

* 79. (a) The Commission having found that "the cause of the disturbances was the wide-spread belief throughout the affected areas that Government was about to impose a direct tax upon women", and that the "people of the areas had good grounds for supposing that such a measure was afoot" (*vide* paragraph 408, page 121, Aba Commission Report), to ask whether Government proposes to abandon the intention of imposing any direct tax upon women in those disturbed areas? If so,

(b) What steps have been taken to inform the people so as to implant confidence in them?

(c) Whether Government proposes to abolish the imposition of a direct tax upon women in other provinces where such taxation exists? Or

(d) Whether Government proposes to impose a direct tax upon women in other provinces outside the affected areas where such a tax does not exist at present?

HIS HONOUR THE LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

(a) Government has never had any intention of imposing any tax directly payable by women in the areas referred to.

(b) As stated in the reply to Question No. 5 at the Meeting of Legislative Council on the 30th January, 1930, the women have been repeatedly assured by the Administrative Officers that there is no intention to impose a tax directly payable by women of the Eastern Provinces.

(c) Government does not propose to alter the conditions of taxation in their provinces except at the request of the Native Administration concerned.

(d) Under the Native Revenue Ordinance all income is taxable from whatever source derived but Government has no present intention to impose a tax directly payable by women.

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

* 80. To ask whether instructions have been given in any of the areas of the last disturbances for the computation of the people this year for the purpose of taxation?

HIS HONOUR THE LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

No particular instructions have been issued in the areas to which the Honourable Member refers for the computation of the people for the purpose of taxation this year but instructions have been given for the compilation of intelligence reports to contain information which will be of material assistance in the work of future computations. The standing instructions are that in the case of a community complaining of over-assessment revision can be undertaken provided that the community is prepared to accept and cooperate fully in the necessary enquiries.

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

* 81. With reference to the cause, or causes, which led to the disturbances and the responsibility therefor, to ask what steps has Government taken, or what recommendations has Government made, against the following responsible officials:—

- (a) The Resident, Mr. Ingles, for the concealment from the people of the fact that the computation in the Owerri Province during 1926-27 was for the purpose of taxation;
- (b) The Acting District Officer, Captain Cook, for the count of the population including women, children and livestock undertaken in the Bende Division in the Owerri Province towards the end of 1929?
- (c) The Resident, Mr. Falk; the District Officer, Mr. Whitman; and Cadet Mr. Floyer, for the reassessment of the Essene and Ukam areas in the Opobo Division of the Calabar Province, as pronounced by the Commission?

HIS HONOUR THE LIEUTENANT-GOVERNOR, SOUTHERN PROVINCES:—

No steps have been taken, and it is not proposed to take any steps against the officials mentioned. As explained in the reply to Question No. 78 the Government is not prepared to disclose the terms of its communications to the Secretary of State for the Colonies.

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

82. (a) To ask whether Government has taken any steps to remodel the conditions under which Native Court Members, who do not owe their appointments to their natural positions, shall in future be appointed? If so,

(b) What steps has Government taken?

Answer:—

(a) It is not now the policy of Government to appoint anybody as a Native Court Member who is not fitted for such an appointment by his natural position and qualifications.

(b) This question does not arise.

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

83. (a) To ask whether Government intends to abolish, or uphold as a permanent institution in Nigeria, the appointment of Warrant Chiefs who are distrusted generally by the people in the Provinces and who are regarded, in certain instances, as merely the unscrupulous instruments of the Government and not the natural spokesmen of the people? If Government intends to abolish the appointment,

(b) How soon will it take place?

Answer:—

It is not proposed to repeal regulation 3 (b) of Regulation 7 of 1914 to which the Honourable Member presumably refers. The policy is to appoint as Court Members the persons who are best fitted to hold their position.

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

84. (a) To ask whether the attention of Government was directed to a gun-shot incident which occurred at the Iju Waterworks in October last year when an African steward, named Moses Ladele, was shot and crippled for life by a European employee of the Government? If so,

(b) What is the name of the European who shot Moses Ladele, what appointment did he hold at the time, and what action has Government taken in that matter?

Answer:—

(a) The attention of Government was directed to the incident. Moses Ladele is not a cripple for life.

(b) The name of the European concerned is Edgar Clapham Brownfoot. At the time he held an appointment under special agreement as a Mechanic at the Iju Waterworks. The boy Moses Ladele agreed to compensation from Mr. Brownfoot of £2. The Acting Administrator considered that £5 would be a reasonable amount of compensation. Moses Ladele readily accepted this amount.

The wound was inflicted with an airgun and Government has taken no action in the matter.

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

85. (a) To ask whether during the year 1930 the Police reported any other instances of the shooting of native servants by European officials and non-officials, and of suicides by Europeans and Africans through gun-shot, in any of the Provinces or in the Colony? If so,

(b) Whether Government will submit a list giving the names and occupations of the offenders and victims, the places where the offences occurred, the dates, the causes or probable causes of the shooting, and the action taken by Government in each case?

Answer:—

Two other cases of shooting were reported during 1930. In the first, William Green, Manager of a Transport Company at Onitsha, discharged a revolver in the direction of a steward boy named Paul on the 24th October. He was found guilty on three charges and fined £26 in all.

One case in the Northern Provinces is at present awaiting trial. As the matter is still *sub judice*, no details can be given, at present. No case of suicide by gunshot of Europeans, or Africans was reported in 1930.

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

86.—*Disallowed*

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

* 87. (a) To ask whether the conditions referred to under "Slavery" in the Nigeria Handbook for 1927, page 223, namely, that "in the Northern Provinces . . . although slave dealing is against the law and the legal status of slavery is abolished, yet the holding of slaves is not an offence", still obtain in those Provinces in Nigeria?

(b) In addition to the 21,711 slaves freed by regular process to the end of 1917, as shown in the Registers in Sokoto in the Northern Provinces of Nigeria where tribute was received in slaves, what is the number of slaves freed by regular process from 1918 up to the end of 1930 in Sokoto?

(c) What is the total number of slaves liberated in the Northern Provinces since the amalgamation in 1914, inclusive of the 7,212 that were liberated in 1917?

THE HON. THE SECRETARY, NORTHERN PROVINCES:—

(a) The answer is in the affirmative as far as relates to the holding of slaves born or enslaved prior to the 31st March, 1901.

(b) 12,540 up to the end of 1929.

(c) 48,370 up to the end of 1929.

The figures for 1930 are not yet available.

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

* 88. (a) To ask whether the traffic in children, so prevalent in the Benue regions, exists in many Provinces in Nigeria? If so,

(b) In which Provinces, to what extent, what steps have been taken since 1914 to suppress the traffic, and with what results in each Province?

THE HON. THE SECRETARY, NORTHERN PROVINCES:—

(a) The answer is in the negative and this traffic is no longer prevalent in the Benue area.

(b) Does not therefore arise.

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

* 89. (a) To ask whether Government is aware that children-pawning (1) for the purpose of meeting the demands of the poll-tax collection, (2) for debt voluntarily and involuntarily for a limited and an unlimited period, (3) for adoption or for religious education, exists and is prevalent in the Protectorate of Nigeria?

(b) How many cases have been brought to the notice of Government within the last five years and from which Provinces? And

(c) How many persons as child-pawns have been released by Government and set free within the last five years in any or all of the Protectorate, North and South?

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

(a) Government is not aware that this practice is prevalent in the Northern Provinces; and

(b) and (c) Do not therefore arise as far as that area is concerned. As regards the Southern Provinces it is regretted that the Honourable Member's question was received too late to permit of the desired information being obtained.

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

* 90. (a) To ask whether the system known as *Dipomu* to which the attention of Government was directed, still obtains in Egbaland, or in any other Province in Nigeria? or

(b) Whether Government will make a statement of the exact position of affairs as they obtain in Nigeria in regard to the various forms of slavery indicated in this and in the three preceding questions?

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

(a) The system known as *dipomu* is still in force in the Egba Division. It is not known to be in force elsewhere in the Southern Provinces.

(b) In so far as this question relates to questions 87, 88 and 89 the Honourable Member is referred to the answers already given to these questions. In so far as this question relates to *dipomu* the Honourable Member is referred to the answer to question No. 80 given him in this Council on 30th January, 1930, which appears at page 26 of the Legislative Council Debates, Eighth Session, 1930.

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

* 91. (a) To ask whether since the visit to Nigeria of the Right Honourable Mr. W. G. Ormsby-Gore, when Under-Secretary of State for the Colonies in 1926, the Employment of Free Labour by Government still continues either directly, or by pressure through Native Tribal Chiefs, in any part of Nigeria for Railway Construction; Road-making; at the Colliery; in the Mine-Fields; or in Forest Reserves? If so,

(b) What are the specific reasons for its continuance in Nigeria? If not,

(c) When was Free-Labour, or Political Labour, as it was otherwise called, abolished in Nigeria, and where has such abolition been recorded?

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

(a) The answer is in the negative.

(b) Does not therefore arise.

(c) Such labour was abolished by the repeal of the Roads and Rivers Ordinance by Ordinance No. 18 of 1927 on the 1st of April, 1927.

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

92. (a) Referring to the question of allowances and the payments thereof to European Government officials, to ask whether it is a fact that bush allowance was applied for, granted, and paid to an official who was in residence in quarters which form part of the recently completed portion of the Government Hospital for Africans in Lagos? If so,

(b) To ask who the official was; how much he received; for what number of days; why was he allowed to draw bush allowance when staying in those quarters; and why should not the amount be refunded?

Answer:—

Five Nursing Sisters were required to occupy a staff quarter in the African Hospital designed for one married couple, over a period of seven months.

Under General Order 107 half bush allowances were granted. The total amount paid to seven different Nursing Sisters was £86 Os. 10d. No question of refund arises.

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

93. (a) Directing attention to the incident of the suicide by poison at Ijebu Ode of one Joseph Igu *alias* Frugality, to ask whether at *post mortem* examination which presumably was held, the nature of the poison taken was discovered? If so,

(b) Whether the allegation is true that the poison was what is being used in the colouring of counterfeit coins, or of forged currency notes?

(c) Whether the source from which the poison was procured was not fully enquired into and clearly determined at the inquiry?

And

(d) What steps Government proposes to take, or has already taken, to place a vigilant restriction upon the importation, sale, and issue of that poison the better to safeguard the public and its interest?

Answer:—

(a) The poison taken was ammonia and caustic soda.

(b) No, Sir.

(c) No information was given at the inquest as to where the poison was procured.

(d) It is not considered necessary to restrict the importation or sale of either ammonia or caustic soda.

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

94. (a) To ask for the reason, or reasons, why the emolument of the post of Chief Registrar, Supreme Court of Nigeria, was raised from £960 *per annum* with £96 Duty Pay to £1,050 with £210 Duty Pay, and how many years did the holder of this office serve and with what special efficiency to deserve or merit the increase?

(b) Whether in addition to the various services previously performed by the Chief Registrar, Supreme Court, when the annual salary stood at £560 without Duty Pay, Transport and other Allowances, or Passages to and from England, any extra duties have been added, clerical or otherwise, since 1927? If so,

(c) What are those extra duties, when and why were they added?

Answer:—

(a) By the terms of his appointment the Chief Registrar received salary at the rate of £960 *per annum* together with £96 *per annum* duty pay. He was also permitted to retain certain fees. It was considered later to be undesirable that any fees should be retained by him and his salary was regraded to £1,050 *per annum* together with £210 *per annum* duty pay and he was directed to pay all fees drawn by him into Revenue.

(b) Yes, Sir.

(c) Since the Southern Provinces Secretariat was transferred to Enugu all Provincial Court reports and returns pass through the hands of the Chief Registrar.

Certain work previously performed by the Chief Justice and Judges is now performed by the Chief Registrar and, in particular, all correspondence with Residents and the Heads of Departments is performed by the Chief Registrar.

The drafting of complicated deeds and orders is now performed by the Chief Registrar instead of by the Judges.

The Chief Registrar now has complete control of all expenditure under Head 43 (Supreme Court) of the Estimates.

These additional duties were added to promote greater efficiency and expedition in the working of the Supreme Court.

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

95. (a) To ask whether the bulk of the substantive duties performed by the Chief Registrar, Supreme Court, up to 1927, have not since that year been relegated to the Assistant Chief Registrar, and subsequently to the Senior Registrar, under Departmental Instructions issued in the Supreme Court office, namely, (1) the general supervision of the clerical work of the department, (2) the duties of the Divisional Court in the Western District, (3) the duties of Curator Intestate Estates, and (4) Probate duties Western Division?

(b) Whether the duties of Curator Intestate Estates have not been transferred from the Supreme Court Registrar's Office to the newly created office of the Official Administrator and Public Trustee?

(c) Whether it is not a fact that Headquarters Office of the Supreme Court has nothing to do, directly, with probate duties, Eastern Division, those duties having always been efficiently performed by the Senior Registrar of the Court of that Division?

And

(d) Whether in the event of the post of Chief Registrar becoming vacant Government will refuse to consider the claims of competent Africans (originally promised by Government on the retirement of

the late African Chief Registrar as being wholly capable of the purely clerical duties of the Chief Registrar's Department, subject to the supervision of His Honour the Chief Justice or one of the Puisne Judges of Nigeria, thereby effecting an appreciable and substantial reduction below the annual expenditure of £15,000 in Emolument, Duty Pay, Transport Allowances, Passages, etc., etc., attached to the appointment when held by a European?

Answer:—

(a) The bulk of the substantive duties of the Chief Registrar have not been delegated to the Senior Registrar.

(b) Yes Sir, except that all Orders of Court are obtained through the Chief Registrar.

(c) Yes Sir, except to advise when difficulties arise. The Chief Registrar is responsible for the proper working of the office in the Eastern Division.

(d) When a vacancy occurs it will be filled by the officer whom the Government considers to be best qualified to perform the duties of the office. The Government will not refuse to consider the claims of competent Africans.

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

96. Considering that Native Administrations enjoy the privilege of special Government contributions towards the construction, improvement, extension of their water supply or electric light schemes, whether Government will not consider such pecuniary aid to the Egba Native Administration as would assist the electric light and water supply schemes, at present contemplated?

Answer:—

Government has under consideration the grant of pecuniary aid to the Egba Native Administration to assist its electric light and water supply schemes under contemplation.

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

97. (a) Whether the Postmaster-General is of the opinion that to popularise the telephone service a reduction in the annual rental is overdue?

(b) How many African subscribers are now on the list?

(c) Whether private subscribers have increased since 1928?

(d) In order to redeem his promise to this Council whether he is taking up the question of attaching public telephone service to public buildings?

(e) And how soon?

Answer:—

(a) The Honourable Member is referred to the reply to question No. 71.

(b) The Posts and Telegraphs Department keeps no record of the race of telephone subscribers but from enquiries that have been made it would appear that there are approximately fifty-four African telephone subscribers.

(c) The answer is in the affirmative.

(d) and (e) If the Honourable Member is referring to public telephone call offices these have been installed in the Post Offices at Lagos, Apapa, Ebute Metta, Abeokuta, Ibadan, Jos, Aba, Port Harcourt, Ilorin, Calabar, Buca, Victoria and Tiko. It is not considered advisable to instal telephone call offices in other public buildings as the Posts and Telegraphs Department have no facilities for collecting the fees.

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

98. To ask the Director of Public Works what amount has been paid as compensation for buildings demolished on lands expropriated near Ilorin Station for widening the motor road in that area?

Answer:—

There is no record of any amount having been paid as compensation for buildings demolished on lands expropriated near Itori Station for widening the motor road or of any claim in this respect.

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

99. (a) To ask the Postmaster-General whether he is aware of unnecessary delay of two or three days in the delivery of letters from Lagos to Abeokuta, a distance of only sixty-five miles from headquarters?

(b) What is being done with postal matters which are not called for personally by the addressees?

(c) Whether a return to the old system of house-to-house delivery of postal matters will not be conceded as was the case prior to 1915, particularly as the streets in the City of Abeokuta are now being named?

Answer:—

(a) The answer is in the negative.

(b) All postal articles which are not called for are sent to the Returned Letter Office to be returned to the sender after being retained at the office of destination for the prescribed periods; these are, for one month in the case of correspondence posted in Nigeria, and for two months in the case of correspondence received from overseas. The period of retention in the case of parcels is twenty-one days after which they are sent to the Returned Letter Office for disposal.

(c) Owing to the financial position the answer is in the negative.

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

100. In view of Government's reply to a question raised in the House of Commons on the 9th July, 1930, relative to Collective Punishment Ordinance, whether this Ordinance will still be allowed to remain on the Statute Book of Nigeria?

Answer:—

The answer is in the affirmative.

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

101. To ask whether a reply has been received from the Secretary of State to the question raised last Session as to the limitation of the scope of the Public Officers' Guarantee Fund in the matter of loss of public monies?

Answer:—

The answer is in the negative.

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

102. Whether in the interest of Customs Revenue Government will not readjust the Regulations authorising destruction of confiscated goods and goods in which consignees failed to pay the prescribed Customs duties?

Answer:—

Only the following smuggled goods, when seized, are destroyed:—Spirits seized on the frontiers, tobacco and cigarettes. Government is not prepared to consider any alteration in the present practice in regard to these articles.

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

103. To ask if the Select Committee appointed to enquire into the finance of the Lagos Town Council have reported, and if so will the report be tabled for the information of this Council?

Answer:—

A Select Committee was not appointed to enquire into the finances of the Lagos Town Council. A small Committee however was appointed by Government. Their report has been received and will be laid on the table at the next meeting of this Council.

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

104. Whether Government contemplate a Geological Survey of Egba Division and Abeokuta Province? if so, how soon will this work be taken in hand?

Answer:—

The answer is in the negative. The second part of the Honourable Member's question does not therefore arise.

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

105. To ask the Director of Medical and Sanitary Service whether the attention of Government has been drawn to the question of the sanitary jetty and slaughter house on the Ebute Metta water front which are in undesirably close proximity and are both unsuitable to that locality?

And if so, when it is proposed to remove them both?

Answer:—

The reply is in the negative. The matter is one for the Town Council.

MOTIONS.

The Hon. the Third Lagos Member (Mr. T. A. Doherty):—

Your Excellency, I beg to propose the motion standing in my name:

"That this House expresses its profound regret which Honourable Members, equally with Your Excellency's Government, feel for the loss of life which the disturbances in the Calabar and Overri Provinces of Nigeria occasioned, and its deep sympathy with all those to whom those events have unfortunately brought personal bereavement; and views with considerable disfavour the conduct of all those officers of the Nigerian Government, civil and military, who were declared responsible for the various frings upon unarmed women which were found to be 'not justified', according to the Report of the Aba Commission of Inquiry 1930, and recommends that the officers responsible be brought before the Bar of Justice in the Courts of Law or in the alternative that they be dismissed from the service of the British Colony and Protectorate of Nigeria with a forfeiture of their pensions."

Your Excellency my first duty is to express on behalf of the whole of Nigeria our high appreciation of the service rendered to Nigeria by the Aba Commission, a duty which they willingly undertook, and which they performed with great credit. They had a very arduous task. For two months they moved from place to place at great personal inconvenience, simply to give to the Government their views of the causes of these most unfortunate disturbances. There is no doubt, Your Excellency, that to everyone here, both Official and Unofficial Members, this appears to be a most unfortunate affair. It is a great blot on the annals of British Administration in Nigeria. I do not propose to make a long speech on the motion, but I desire to say that this is obviously a case in which the Members of the Commission have sat as a jury. They have had before them evidence representing the prosecution, and they have had before them evidence representing the defence of the women, and it took the members of this jury three good months in order to arrive at their decision. If Your Excellency agrees that these six good men and true have done their duty, and have arrived at these decisions after having devoted so much of their time in investigation of the causes at the request of the Government, then there is no alternative but for Your Excellency in this Council to sit here as Judge and deliver judgment calmly and impartially. What is the verdict of these six men? Their verdict is that they have found the officials concerned guilty. If these men are guilty, then I say, Your Excellency, that there is no alternative but for this Council, this Government of Nigeria, to pronounce judgment on them. If Your Excellency allows these men to go unpunished, if Your Excellency will not inflict on these men what you

conscientiously believe to be the punishment they deserve, then we shall all have the assurance that there is no justice in Nigeria. I have read the memorandum of Mr. Graham Paul, that masterpiece of logical reasoning, and I say that all we have to do is to pronounce the judgment of the Court. I quite agree with Mr. Graham Paul in his observations, but I go on the assumption that the King can do no wrong. In this instance this Council passed the Ordinance that was the immediate cause of these disturbances, and whether Council was wrong or right, there is no doubt that it has led up to the destruction of these women. I therefore ask that my motion that these men be brought before the Bar of Justice in a Court of Law be adopted. If it is considered that this will be too great a punishment, we ask Your Excellency in this Assembly to inflict the punishment of dismissal from the service of Nigeria on these officials. Such a course will be regretted by everyone, but justice has to be done. In conclusion I wish to point out to Your Excellency that if you allow these men to go unpunished, that black blot on the annals of British Administration in Nigeria will ever remain. Governors will come and Governors will go, officials will come and officials will go, but this blot on our history will ever remain.

The Hon. the First Lagos Member (Dr. C. C. Adeniyi-Jones):—

Your Excellency, I cannot sufficiently express how sad I feel to think that it has ever become possible for a resolution of this kind to be brought before this Council, and in seconding this motion, Sir, I am doing so from no other motive than my realisation of my sense of duty. I admit the duty is a painful one, but nevertheless I feel that it must be done in order to save the reputation of the Nigerian Administration, to re-establish that confidence which is expected to exist in the various districts between the District Officers and the natives over whom they exercise sway, and, further, Sir, in order to save British prestige.

The circumstances which led to the disturbances in the South-eastern districts are well known to every Member of this Council: indeed they are better known to some of the members than they are to me, and the care with which the members of the Aba Commission exercised their duty is such as to call from us our commendation in terms of admiration. Therefore, Sir, I would like to associate myself, and the community whom I jointly represent here, with Your Excellency's remarks in Your Excellency's Address, on page one of that Address:—

“The Chairman and members of the Commission have earned the gratitude of the Government and the people of Nigeria for the thorough and painstaking manner in which they carried out an exceedingly arduous task, and for their public spirit in devoting five months to the holding of the inquiry and the preparation of their report, regardless of sacrifice of their personal interests.”

As I have said before, Sir, my duty is a very painful one, but on an occasion like this sentiment ought to be made to give way to a sense of duty, and it is only because of my realisation of my sense of duty that I am seconding this resolution.

Sir, I am not attempting to stress the point as to whether or not the unfortunate natives in these districts who have suffered, who have been killed, or who have survived to mourn the loss of those killed, are entitled to our sympathetic consideration. I shall only, with your permission, refer you to a speech of Major Ruxton's, who was then Lieutenant-Governor of the Southern Provinces, when in 1927, he made an application in this Council for an increase in the Police Force, and for a grant of money to make provision for that increase. In the Nigerian Legislative Council Debates of April 1927, His Honour the Lieutenant-Governor of the Southern Provinces said *inter alia* as follows:—

“Your Excellency, As the mildest member of the Government I have been given the invidious task of asking this Honourable Council for an increase in the Police Force— invidious because at this particular juncture Council has passed a Bill into Law extending taxation over the Eastern Provinces. Already, Sir, I can hear the old slogans: Taxation at the point of the bayonet: Cruelty and oppression: Women and children. It is useless for me to affirm that with twenty-five years' experience of collecting taxes in Nigeria, I have never seen a bayonet fixed, that cruelty and oppression are loathsome to the

collectors who are the English District Officers, that women and children do not come into the question at all except as sob-stuff. Well, Sir, no words of mine will turn the slogans, but to the Members of this Honourable Council, all rational men, I will endeavour to explain the circumstances under which the resolution now comes before you."

Your Excellency, I crave your indulgence to allow me to read further from this speech because I think it has considerable bearing on what subsequently transpired in connection with these disturbances.

"Every wise man, when he embarks on a new business venture, even the simplest and safest—such as floating a Nigerian loan—insures himself—and Government is wise. The venture in this case is the taxation of the five Eastern Provinces that have not hitherto been taxed. The population of those provinces is some five and a half millions, of whom, very roughly, we may say there are two million taxable males. On the whole they are a primitive and rather hot-headed people and the majority are removed from the civilising influence of such centres as Calabar, Onitsha, and Port Harcourt. This Council is asked to vote the premium on an insurance against the possibility of any disturbance that youth and ignorance may think of making."

His Honour the Lieutenant-Governor then went on to say:—

"The premium that the Council is asked to provide in order to check any threatened disorder is an extra 500 men and that is a very low rate."

"Then as to money. Of the amount this Council is asked to provide £8,034 represents salary for six months, £250 for transport, £2,500 for clothing and £6,500 for equipment."

The increase of 500 in the police force may have been necessary because as Major Ruxton further said the staff of police in those districts was inadequate, but I think it is significant that Council not only voted £17,000, but out of that sum no less than £6,500 was set aside for the purpose of providing weapons for use in a country which is admittedly primitive, where the people are known to be backward, and where they are admitted by Government to be removed from the benign influence of more advanced places, as for instance Calabar, Onitsha, and similar places. What does that significance imply when viewed in the light of what actually transpired, that is to say when viewed in the light of the figures given as to the number of defenceless women shot down, women who, as far as we have been told, had no weapons with which to defend themselves? I say, Sir, that what that significance implies when viewed in that light, I leave for Your Excellency and Honourable Members of Council to determine.

We are all agreed that there were disturbances in those districts, disturbances of a very serious nature. We are all agreed that whenever and wherever disturbances arise, they must be quelled with the utmost despatch. We are also agreed that the officers who are responsible for the maintenance of peace, order and good Government in districts where disturbances arise, should see to it that those disturbances are quelled, and quelled within the shortest possible time. The question that arises, and on which my Honourable friend based his resolution, is whether the methods adopted by the responsible officers in suppressing those disturbances did or did not exceed the limits provided by the King's Regulations? If they exceeded those limits, and if justice and equity are still the distinguishing characteristics of British rule in Nigeria, as I have every reason to believe to be the case, and if it is intended by the Administration to maintain its own good name, as well as the prestige of British rule in this country of ours, I say, Sir, that it requires no personal eloquence from me or any other Member to bring home to Honourable Members the absolute necessity that that justice and that equity be done in this instance.

Who then are the officials responsible, and what are the findings against them? I shall beg Your Excellency's leave on the off-chance of keeping you rather long to refer to this point, because from our point of view it is a question of great importance. On page 122 of Sessional Paper No. 28, the Report of the Commission of Inquiry, the Commission have taken the trouble to go so thoroughly into the matter as to attach responsibility to certain persons whose names are indicated therein.

His Excellency:—

Does this refer to the firing?

The Hon. the First Lagos Member (Dr. C. C. Adeniyi-Jones):—

Yes, Sir. I would mention the names of Mr. Jackson, Captain Ford, Captain Blackburne, Captain Nunns, Captain James, Lieutenant Browning, Mr. Whitman, Lieutenant Hill, Captain McCullagh and Captain Cornish. I bear in mind very vividly, Sir, the reply which has been given to one of the questions to-day, that Government does not intend to take action against the people whose names are indicated in the question, but that does not discourage me from doing what I consider to be my duty. I will refer you to one or two of the actions of these officers as described in the findings of the Commission. In the case of Mr. Jackson, the District Officer at Aba, Captain Nunns, Commissioner of Police, and Mr. Hayllor, whose name I inadvertently omitted in my list, each of these officials fired several rounds with their revolvers at some innocent carriers who were seriously believed to be looters. I wish to lay stress on the statement in the Report that the carriers were fired on after they had dropped their loads and fled. They were supposed to be carrying loot and for this reason were fired on, and yet some of the officers who were adopting such severe measures to re-establish order and good government were said on page 117 of this Report to have looted themselves. In paragraph 392, page 117, we read as follows:—

“The third exception to which we refer occurred at the burning of Chief Onumaebu's house at Ameke by Lieutenant Sainthill on the authority of the District Officer, Captain Hill. Although Lieutenant Sainthill described this as a form of punishment, we are satisfied that Captain Hill authorised and was justified in authorising the burning as a means of pressure to enforce his demands, and it is not the actual burning which we hold must be condemned but the fact that Lieutenant Sainthill with the approval of Captain Hill appropriated to his own use six manillas and a string of wooden bracelets which he found in the house. Manillas are the equivalent of cash in these areas and pass as currency at the rate of two pence each; the total value was therefore probably between one and two shillings; but whilst this is a negligible amount it is the example set and the principle involved that matter, and we are of opinion that the action of Lieutenant Sainthill is deserving of censure if only to bring home to him that it was an improper one, a fact which he did not seem to realise when he was giving evidence before us.”

Yet Lieutenant Sainthill was concerned in quelling the disturbances even up to the time when he was giving evidence before the Commission. This is only one instance, Your Excellency.

If you desire I can go through every item here to prove that the findings of the Commission show that these men, whose names I have indicated, stand condemned for exceeding the limits prescribed by the King's Regulations for suppressing disorders and re-establishing order in the districts under their supervision, and as I have said before, if equity and justice are distinguishing characteristics of British rule in Nigeria, is there any reason why equity and justice should not be made to obtain in this case? Lest there should be any fear in the minds of Honourable Members as to whether or not punishment should follow in the manner indicated in the resolution, I shall refer Honourable Members to the case of an official who, in the year 1802 was prosecuted for flogging a servant to death. He was brought before the Courts of Justice, found guilty, condemned and hung. Then there is the unfortunate case of General Dyer, a very unfortunate case I admit, yet it is one that has considerable bearing on this particular case, and it will not be out of place to suggest that measures as indicated in this resolution be adopted against those officials in the South-eastern districts who have been held to have exceeded their limits in the measures they adopted in restoring order—limits as provided by the King's Regulations. General Dyer, as we all know, was concerned with the Amritsar riot which took place in India in 1919.

When brought before the Commission which enquired into the causes of this riot, I think with the object of fixing responsibility, General Dyer said as follows:—

“ We cannot be very brave unless we be possessed of a greater fear. I had considered the matter from every point of view. My duty and my military instincts told me to fire. My conscience was also clear on that point. What faced me was what on the morrow would be the *Danda Punj*.

I fired and continued to fire until the crowd dispersed, and I consider this was the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand the casualties would have been greater in proportion. *It was no longer a question of merely dispersing the crowd*, but one of producing a sufficient moral effect, from a military point of view, not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity.”

After the Commission had listened carefully to this defence of General Dyer's, it found that the case for this officer called for special mention and recorded its findings as follows:—

“ We have given most anxious consideration to the action of this officer at Jallianwala Bagh. We are satisfied that it was *bona fide* and dictated by a stern though misperceived sense of duty. The facts are abundantly clear. General Dyer has made no attempt to minimise his responsibility for the tragedy or even to put a favourable complexion on his action or purpose. The only justification that could be pleaded for his conduct would be military necessity arising out of the situation before him and in the area under his jurisdiction. In circumstances such as General Dyer was confronted with, an officer must act honestly and vigorously, but with as much humanity as the case will permit. We recognise that in the face of a great crisis an officer may be thrown temporarily off the balance of his judgment and that much allowance must be made on this account. We recognise further that, however injurious in its ultimate effect General Dyer's action may have been, it resulted in an immediate discouragement of the forces of disorder. Nor have we overlooked our own resolution, in which we promised full countenance and support to officers engaged in the onerous duty of suppressing disorder. Nevertheless, after carefully weighing all these factors, we can arrive at no other conclusion than that at Jallianwala Bagh General Dyer acted beyond the necessity of the case, beyond what any reasonable man could have thought to be necessary, and that he did not act with as much humanity as the case permitted. It is with pain that we arrive at this conclusion, for we are not forgetful of General Dyer's distinguished record as a soldier or of his gallant relief of the garrison at Thal during the recent Afghan war. We must however direct that the judgment above pronounced be communicated to His Excellency the Commander-in-Chief with the request that he will take appropriate action.”

I think we have in these disturbances, and in the measures that were adopted to suppress them an exact counterpart of what occurred in the Amritsar riot, although the results were not so disastrous, as on that occasion there were nearly 300 people killed and quite three times that number wounded. But as these disturbances have taken place in the South-eastern Provinces, and these officers have been found to have been unjustified in shooting (even in cases where the shooting resulted in no fatalities the Commission did not hesitate to express in their report that in certain cases these shootings were not justified) I think it is only fair, Sir, that one or all of the measures indicated in the motion be put into operation against them. Before closing, Sir, I should like to refer you to the observations of the Honourable Mr. Graham Paul who was one of the members of the Commission of Inquiry. Mr. Graham Paul is a legislator of long and mature experience in this country; he is an advocate of no mean order who for many years has been practising his profession in and out of the districts that were involved in the riots, and in paragraphs 20-22 of the

Honourable Member's observations he endeavours to convince His Excellency that the Government, in its administration of those districts, was going too fast, and he sums up by saying that in his opinion the "disturbances probably would not have happened at all, and certainly would never have become anything like as serious as they did, if Government had only waited patiently till the necessary preparatory work in discovering and recognising the natural rulers or leaders of the people had been completed." I refer to these observations because they have a very important bearing on the shootings which this Inquiry found to be not justified, and in conclusion I would respectfully associate myself with the Honourable the Third Lagos Member who has expressed his deep regret at the many valuable lives that have been lost. Those who were killed were African natives, who to those to whom they are lost, whether husbands, sons, brothers or wards, were equally dear, and in expressing regret for their loss, I wish further to express the profound sympathy of the community with those who are left to bear the loss.

The Hon. the Acting Chief Secretary to the Government:—

Sir, it is, I think, desirable that at the earliest stage possible in this debate I should state clearly the views of the Government as regards the motion now before the Council. Your Excellency has already expressed in your Address to the Council your appreciation of the work done by the Members of the Aba Commission, and Government yields to none in its admiration of the public spirit displayed by all the Members of the Commission, and particularly by those Unofficial Members who, for five months gave freely of their valuable time and took considerable trouble, at, I fear, some sacrifice of their own personal interests. The Report of the Aba Commission is extremely interesting and well written. The views set out by the Commission are set out with lucidity and ability. It contains criticisms and recommendations which cannot fail to be of the greatest value both to Government and to those officers who are responsible for the administration of the areas to which they refer. Steps have already been taken to implement some of the recommendations of the Commission and other recommendations are now under consideration.

I am bound, however, to say that the Government is not in complete agreement with the findings of the Commission. Some of these findings convey an impression which I feel sure is more unfavourable to the officers concerned than was possibly intended by the Commission. In particular the definite and unqualified findings regarding the firing give an impression of general condemnation which is difficult to reconcile with the opinion expressed by the Commission in paragraph 354 of their Report where they say:—

"In regard to the disturbances themselves, we desire to endorse the Lieutenant-Governor's opinion that the Administrative Officers as a whole, confronted with a difficulty and unexpected situation did their duty with reasonableness and care."

The Commission have found that on seven different occasions firing took place which was unjustified. On two of these occasions no injuries were caused by the firing, and it is probable that more serious results were averted by the fact that that firing took place. On two other occasions the firing was due to a misapprehension which I do not intend for a moment to excuse or minimise. The three other occasions are those which were also considered by another Commission. Both Commissions had the advantage of knowing, when they considered the matter, all the circumstances of the case; they knew what had happened before and what had happened after each particular incident. They knew what was happening in other parts of the country, and they were better able to judge the necessity of the emergency than the officers themselves, yet, Sir, on these three occasions the two Commissions took diametrically opposite views. This seems to me to indicate the difficulties which confronted the officers on the spot who, as I say, had none of the advantages possessed by the members of these two Commissions who considered the matter at a later date. It is extremely difficult when riots occur, for those officers who are responsible for the restoration and maintenance of order to estimate accurately the temper of the mob, and it is not improbable that errors of judgment might occur. But it is necessary that I should make it quite clear that the officers concerned retain the confidence

of the Government, that the Government considers they did their duty in circumstances of great danger, circumstances without precedent, and circumstances of great difficulty with courage, patience and restraint. The Government therefore cannot accept the motion as it stands. It finds itself in agreement with the first paragraph of the motion, and I therefore move as an amendment the omission of all the words in the motion after the word "bereavement" in the sixth line. The motion will then read:—

"That this House expresses its profound regret which the Honourable Members, equally with Your Excellency's Government, feel for the loss of life which the disturbances in the Calabar and Owerri Provinces of Nigeria occasioned, and its deep sympathy with all those to whom the events have unfortunately brought personal bereavement."

I have not attempted, Sir, to deal with any of the specific points made by Honourable Members who have spoken in this debate. Those points will be dealt with by His Honour the Lieutenant-Governor of the Southern Provinces in winding up the debate, but I have thought it desirable to state at the first possible opportunity the views of the Government in this matter. (Applause).

The Hon. the Commercial Member for Lagos (Mr. R. F. Irving):—

Sir, I beg to second the amendment proposed by the Honourable the Acting Chief Secretary. I should like to say that as the Commercial Member for Lagos, I have not had an opportunity of consulting any of my constituents as to their views on this motion, but I think, and I earnestly hope that the few views I am about to express will meet with their entire approval.

I have not had time to read any of the evidence produced before the Commission of Inquiry. I therefore feel that I am bound to accept every fact as found, as facts found by the Commission. I do not attack the findings. As I understand the Law, a finding in Law is a finding in fact, that is to say, that such and such a thing occurred; it is not an expression of opinion. These so-called findings are expressions of opinion of Members of the Commission on certain facts as they found them, and their findings as facts I accept. It seems to me the position is this: we have had both civil, police and military confronted with a most terrible situation. They have had to deal with a mob of women, not puny weaklings scared off by a shoo, or bang of a gun, but women for whom one has the deepest sympathy, because they felt, rightly or wrongly, that they had a real grievance. It is the fact that they felt they had this grievance which made them more dangerous and the difficulty of coping with them greater, and to my mind it is perfectly clear on the evidence that these women really did believe in their grievance. Consequently the officers concerned must have felt even a greater reluctance than they would ordinarily have felt, than any ordinary man would feel, in firing on women. The reluctance to fire on women is very great with every man who can be called a man, and the reluctance to fire on these women must have been greater still when the officers knew that they were not really out for the sake of disorder, but they were out to try to get a remedy for what they believed to be a real grievance.

I think it is perfectly apparent that most of these officers, civil, military and police displayed great sympathy towards them. I think it is also abundantly clear that most of the people who had to enforce the taxation in these districts were very reluctant to do it, and to my mind the position is this. If you could find anywhere in the evidence any expression of the view on the part of any Member of the Commission that any officer, civil, military or police who took part in any of these firings did so wantonly, did so even recklessly, I for one could not rest content with such a man being dismissed the service with ignominy, I should not be content until I had seen him hung, drawn and quartered. But as I say, it is abundantly apparent that every one of these men was animated by the most earnest desire not to shoot. They were confronted with a terrible emergency, and they used their judgment. They were not any of them bad men, they were officers trying to do their best, and I therefore prefer their judgment of what was necessary to the judgment of men sitting months afterwards in calmness and quietness, without any responsibility on their shoulders. I consider that these officers did their duty every time. I read the Report to see whether the Commission could point out anywhere that any of these officers were animated by wicked or wrong motives.

but there is no intimation of the sort. We are told they were actuated by the best of motives but that what they did was not justified. To my mind whether they were justified or not was a question to be decided at the moment; they had to frame their judgment on the spot, and, as I say, I accept their judgment every time rather than that of the Commission. Apart from the findings on the question of the firings, however, I admire the work of the Commission a great deal, and my opinion is that these officers displayed the most amazing efficiency, and I agree that they should have our thanks. I also feel deeply indebted to the officers, civil, military and police and to the rank and file for the way in which they handled the situation. I therefore second the amendment to the motion.

The Hon. the Member for the Ibo Division (Archdeacon G. T. Basden):—

I rise, Sir, to support the words of the Honourable Member who has just spoken. I was present at some of these disturbances and saw a great deal in the Owerri district, and the one thing that struck me was the extraordinary patience and long suffering of the officials who had to deal with the riots. I have myself had to meet a mob of men and women who were fighting with regard to one of the national jugus, and I must say that anybody who has had any experience of trying to meet these people when they are in a frenzy, they only can understand adequately what it means to try to get them quiet again. At Owerri, for instance, during these riots the officers in charge had to meet the people and they were going day and night for several days, with practically no rest, meeting these people in this emergency, and from my own personal experience I can say that every one of them who had to deal with these people exercised a patience and indulgence which seemed to me almost miraculous. One wonders how they could stand it, and all I can say is that those men deserve all the thanks we can give them. They did their best in exceptionally difficult circumstances, and we have to put ourselves in their places and try to think what we would do in the case of an emergency like that. (Applause).

The Hon. the Senior Resident, Calabar Province:—

Sir, I do not propose to take part in the general debate on this motion, but there are three small points which I should like to mention. In the first place the officers whose unfortunate duty it was to suppress these disturbances also feel that profound regret which is mentioned in the motion, and I can assure Honourable Members how pained they were that their duty compelled them to take strong steps to restore law and order, and preserve life and property.

The second small point I wish to mention is that I heard mentioned among the names of those whom the Honourable Member said he would wish to be punished, Captain Ford of the Police. I happen to have seen a great deal of Captain Ford's work during these disturbances, and I can assure Honourable Members that had they themselves seen what I saw, they would be prepared to pass a vote of thanks to him for the services which he rendered in suppressing serious disorder not only without loss of life, but without injuring a single person.

As regards another official mentioned, Captain James, it may interest Honourable Members to know that a few weeks before the disturbances broke out, a verbal petition was brought before me by all the Chiefs of the Abak district, supported by large numbers of persons, all anxious that Captain James should under no circumstances be removed from the area where he had worked so long for their benefit. (Applause).

His Honour the Lieutenant-Governor, Southern Provinces:—

Your Excellency. I should like in the first place to join other Honourable Members in saying how much I appreciate the manner in which the Aba Report was prepared. It is a very readable document, and I think it will be found by people who know very little of Nigeria, extraordinarily absorbing. I should like to express my very sincere admiration of the way in which the unofficial members of the Commission devoted so much time and trouble to hearing the evidence, and in the preparation of the

Report. If I do not entirely agree with most of the conclusions that must not be taken to mean that I do not appreciate all they have done for the Southern Provinces, and the suggestions which they have made for improvements in its administration.

I should like to take this opportunity of welcoming back to this Council the Honourable the Third Lagos Member. For some years past I have taken a considerable interest in the Third Lagos Member, though he may not know it. In the old days when I was in Lagos, I had the privilege of acquaintance with the Honourable Member's father. I was then in the Land's Office. During some of my conversations with that distinguished gentleman I came to the conclusion that if he could have managed it, he would have liked to chastise me with whips, however agreeably he may have expressed himself. When I first heard that this motion was to be brought forward by the Honourable the Third Lagos Member, I thought he was going to follow a well known ancient filial precedent and try to chastise me with scorpions. When I heard the Honourable Member's speech I was proportionately grateful that the chastisement was so mild, but even though it was mild, I hope to prove to the Honourable Member and to other Honourable Members that it was not really deserved.

Before I go on any further I should like to give some expression to the feeling of dismay with which we all heard of the occurrences in December 1929, whether we were closely connected with them or not. To all those interested in the welfare of Nigeria it appeared a most disastrous event, but I do not think that anybody could have regretted it more than the staff of the Southern Provinces, and more particularly those unfortunate officers who had to take an active part in quelling the disturbances.

In dealing with these matters, I am more or less at a disadvantage in that I was not in Nigeria at the time they occurred, and the Province in which I had been serving recently was not affected, but at the same time I feel that I am perhaps better qualified to speak on them than His Honour the Lieutenant-Governor, Northern Provinces, then Lieutenant-Governor, Southern Provinces. His Honour quite early in the trouble showed decided symptoms of wishing to shoulder all the responsibility for everything that happened. It was very chivalrous and characteristic of him but in my opinion quite unnecessary as he was not himself concerned with nor in any way responsible for a single incident that occurred. I might also say in passing that the same applies to the other matters in which he was criticised by the Commission. He was not responsible for the reduction of police, for that was settled long before he came to the Southern Provinces, and the actual reductions that he might possibly have been held responsible for were eight in the Owerri Province and six in the Calabar Province, not a sufficient number to merit the censure of the Commission.

The other matter for which he was criticised was the Calabar circular. His Honour did not see that circular until he visited Calabar in January after the disturbances had taken place, and in actual fact shortly after its issue he had issued one himself which prescribed quite different methods from those of the circular in question. I think that the Commission was misled by a mistake in the Memorandum issued by the Secretary, Southern Provinces, and I think that His Honour was equally misled by the Memorandum and accepted responsibility when no responsibility really lay.

In my rather detached position as one apart from these disturbances, what struck me most in reading the Report was the extraordinarily good behaviour throughout of the Administrative Officers in general. I regret very much that the Commission has not found itself able to give stronger and more definite expression to that fact than that expressed in paragraph 354, which has already been quoted by the Honourable Chief Secretary. It is very easy to be wise after the event especially when you have had many months of untroubled consideration in which to arrive at decisions covering the whole field of the disturbances, but in the case of the officers concerned they had to arrive at instantaneous decisions when they were in very great danger and in isolated positions. It seems to me that they really did very well in that extraordinarily difficult position. Most of them had every reason to believe that the women were backed up by the men and the Commission itself recognised that they had good reason to believe this in paragraph 349 of the Report.

"It is necessary to recognise, however, the great difficulty that there was, at the outset of the disturbances and as they developed, of gauging with accuracy or certainty the attitude and intentions of the inarticulate mass of the male population in the affected areas. We are satisfied that they were generally in sympathy with the women's demonstrations and, in addition to the few overt acts of lawlessness proved before us, we consider that the men generally carried their attitude of benevolent neutrality beyond the bounds of good citizenship. There were a few striking instances where local action by the men on the side of law and order effectually stopped or materially hindered the disorderly conduct of their women. If such action had been general the disturbances could not have attained the proportions that they did."

The position was one of very great difficulty and I do not think anything like full weight has been given to the very awkward circumstances in which they were all placed.

There is another matter of a general nature to which I should like to refer. Throughout the disturbances the officers concerned, military, police and administrative, were dealing with hordes of women. It is true that they had the ever present shadow of the men behind them, but in actual fact they were dealing with the women. Rules and regulations regarding the use of firearms contemplated, it was presumed, the use of such force against mobs of men and not against mobs of women. This fact has to be taken into consideration when you are considering the question as to whether these officers should, or should not have carried out their duties in accordance with the strict letter of the law as laid down in those rules and regulations.

I will now deal separately with each of the incidents where the Commission has stated that firing was unjustified. I should like, however, to preface my remarks by calling attention to the very different treatment of this question by the Birrell Gray Commission, and by the Aha Commission. The Birrell Gray Commission was not less highly principled than the Kingdon Commission: its members were both lawyers as were four out of the six members of the Kingdon Commission. They did not treat the subject with any less scrupulous care than did their successors, but they arrived at entirely different conclusions in practically every case, and I cannot help thinking that their conclusions will be those which will be ultimately accepted as just and as representing the true position.

The first of the incidents of the alleged unlawful firing was that given in paragraph 421, page 122 of the Report. It reads as follows:—

"On the road between Essene and Ukam on the 6th December, Captain Ford, Commissioner of Police, fired as a warning two revolver shots into the ground in front of a man who put his foot on the line drawn in front of the Police Force; and similar action was taken by Captain Blackburne, Assistant Commissioner of Police, later on the same day at Ukam after the Riot Proclamation had been read. There were no casualties. Although this firing was confined to officers and due care was exercised so that no harm was done, it was in our opinion unnecessary and was in contravention of the instructions that firing should only take place as a last resort. We find that it was not justified."

I am afraid that I entirely disagree with that finding. What actually happened was this: these officers had to deal with large mobs armed with machets—mobs of men in this instance—and they seem to me to have taken the best means possible to stop further unpleasantness. Firing a revolver into the ground is not illegal, and in this instance, by firing their revolvers into the ground, these officers seem to me to have made it improbable that they would later on have to open orthodox and direct fire. Therefore in those circumstances I consider that the use of the term "unjustified" is in itself unjustified.

The second incident was number (v) of paragraph 421 on page 123 of the Report:—

"At Aha on the morning of the 11th December, on the order of Mr. Jackson, the District Officer, three volleys were fired over the heads of the mob by a party of five police. We find that this firing was not justified."

Now I have already pointed out that in circumstances such as we are now dealing with, rules and regulations have sometimes to be thrown over. On this occasion, Mr. Jackson had with him a force of five police, and one of them was practically disarmed. Had those other policemen been disarmed I consider that a serious position would have arisen—a very serious position. It is true that the women immediately in front of Mr. Jackson, although they were riotous were not hostile but the ugly portion of the mob was immediately behind them, and I do not think that Mr. Jackson's action on this occasion can possibly be described as unjustified. It saved what would probably have been a dangerous position afterwards.

We next come to item (*viz*) of this paragraph, the Omoba incident.

“At Omoba Railway Station on the 14th December, Mr. Jackson, District Officer, Captain Nunns, Senior Commissioner of Police, and Mr. Hayllor, Superintendent of Police, each fired several rounds with their revolvers at some innocent carriers whom they erroneously believed to be looters. The carriers were only fired at after they had dropped their loads and fled when called upon to stop and after two rounds had been fired over their heads by Captain Nunns had had no effect. One man was seriously wounded and has since been compensated by Government. We find that this firing was not justified.”

The comment I have to make on this incident is that Captain Nunns was condemned without having been given an opportunity of defending himself before the Aba Commission. He was unable to do so as he was on leave at the time, but I think that this fact should be mentioned. In this case the officers concerned thought that they were dealing with looters, and it was quite obvious that looting had to be put down with a strong hand. Otherwise very serious consequences might have resulted throughout the whole area of the disturbances. The firing was I think in this instance perhaps proved after the event to have been unjustified, but one has to remember that it is easier to pronounce judgment in such cases after they have occurred than it is to act with balanced judgment in moments of sudden emergency. It is also necessary to make allowances for actions taken under great stress of mind and bodily fatigue, and it must be remembered that this incident took place at three o'clock in the morning.

The two incidents that come next I can take more conveniently together. They occurred at Abak, and I must say that I read the Commission's finding with some astonishment. They were as follows:—

“At Abak on the 14th December, Captain Ford, Commissioner of Police, Captain James, District Officer, and Captain Blackburne, Assistant Commissioner of Police, fired some rounds from their revolvers into the ground in front of a mob of frenzied women as a warning to them not to approach any nearer to the police drawn up across the road, and in order to check the mob, and so give the police the opportunity of taking the initiative with the butts of their rifles. The firing had the effect intended and no casualties were caused. We find that this firing was not justified.”

“At Abak on the 14th December, upon the orders of Captain Blackburne, Assistant Commissioner of Police, twenty police fired six volleys at the ground in front of a mob of frenzied women estimated to number 400 to 500. Three women were killed or died of wounds and one was slightly wounded. We find that this firing was not justified.”

I think perhaps if Your Excellency will permit, it would be as well for me to read the comments of the Inspector-General of Police on this matter. I will add my own comments later on. The Inspector-General of Police wrote:—

“2. In regard to the happenings at Abak, I find it difficult to advance any criticism. The incidents are reported in paragraphs 181-194 of the Aba Commission of Inquiry Report and the Commission find:—

“(a) The firing of their revolvers into the ground by Captain Ford, Commissioner of Police, Captain James, District Officer, and Captain Blackburne, Assistant Commissioner of Police, as a warning to a mob of frenzied women not to approach any nearer to the police was not justified.”

“(b) The firing of six volleys by twenty police at the orders of Captain Blackburne at the ground in front of a mob of frenzied women was not justified.

“and in their paragraph 194, the Commission state:—

‘In the whole course of the disturbances there was never a more palpable instance when the police should have acted purely as police, and used police methods only instead of resorting to the use of firearms.’

“3. In the Report of the Birrell-Gray Commission of Inquiry—which forms Annexure III to this Report—this incident at Abak is dealt with in paragraphs 18-30, and in paragraph 42 that Commission stated:—

‘We now come to the question as to whether the firing was justified, and we may say at once that we are quite satisfied that it was fully justified in each instance. In the first place each of the mobs attacked the forces of the Crown. In the second place their intention was clearly to commit felonious outrage, while the ferocity of their demeanour, the emblems of war which they wore and the arms they carried, marked them out as exceedingly dangerous mobs whose lawlessness could be dispelled by force alone.’

“In paragraph 46 of the Birrell-Gray Commission, that Commission states further

‘dealing first with the firing at Abak, we consider that such firing as took place there was absolutely necessary; that all reasonable skill and caution was used, and that no more damage was done than the exigencies of the situation required. We would indeed have been prepared to go further and to hold that Captain Blackburne would have been justified had he fired at the crowd and not merely on the ground.’

“4. In the Aba Commission of Inquiry Report, paragraph 370, the question is discussed as to whether it is proper to fire upon a dangerous mob which refuses to disperse after reasonable notice and warning, but before other physical means of dispersal have been tried. The opinion of the Aba Commission was

‘that is a question which must always depend upon the particular circumstances of each case; such as, the constitution of the mob, its numbers, its actions, past, present and threatened; the weapons in possession of the mob; its temper; the tactical position; the strength of troops and police available; perhaps even the immediate danger due to the proximity of other similar mobs with the same objective; in fact the general danger of the whole situation with which it is the immediate responsibility of the officer in command to deal.’

“5. It would appear that the Aba Commission of Inquiry are of opinion that these factors were not present at Abak, while the Birrell-Gray Commission were of opinion that the situation existing at the time did justify the firing. In view of this divergence of opinion, the only comment that I feel I can make with regard to this incident is that, if the situation did demand the use of firearms, volleys should not have been fired at the ground. In the orders for police officers contained in Memorandum B. for the guidance of police and other officers in cases of civil disturbance it is laid down:—

‘11. Fire will be directed at the mob, not over their heads. One or two files will first be ordered to fire, and if this is ineffective a section will be ordered to fire. In each case the number of rounds to be fired will be stated.’

“On this point it is clear that Captain Blackburne acted contrary to orders in directing fire at the ground in front of the mob, but on the other hand I think it is also clear that Captain Blackburne *bona fide* considered that the situation demanded the use of rifle fire and that, having come to this conclusion, he acted deliberately and kept full and complete control of his men. The fact that, although 120 rounds were fired, only three, or possibly four, casualties resulted from ricochets demonstrates that Captain Blackburne did not act rashly or hastily, that he only used rifle fire sufficiently to effect the purpose he had in view and that he inflicted the minimum of casualties that could have been inflicted considering all the circumstances.

" 6. In connection with this incident at Abak, it would seem that the Commission has accepted a statement from Mr. King that 'a mob can never rally' and has applied this to the circumstances with which Captain Blackburne had to deal. Mr. King does not know in exactly what context this statement was made by him and I can only imagine that Mr. King at the time he made it must have had in view the dispersal of a mob in the streets of a town when the police have got the mob on the move. In such cases it would be unusual for the mob to rally while the police were dispersing them, but it is not at all unusual for a mob to rally again after it has been dispersed by the police. Mr. King informs me, however, that he was not considering the situation at Abak when he made this statement as, in such circumstances, the statement would not be true.

" 7. With regard to the action of Captain Ford, Captain James and Captain Blackburne in firing their revolvers into the ground, I regret that the Commission has found that this firing was not justified. It is accepted by the Commission that 'due care was exercised so that no harm was done' by the firing, so the firing was not in itself an illegal act. It also appears that no harm or injury was in fact done and that the firing had the intended effect of checking the mob and giving the police an opportunity of charging with the butts of their rifles. Possibly, if these shots had not been fired on the ground the mob would not have been checked, the police would not have been able to disperse it in the manner they did and the consequences might have been more serious. The firing on this occasion may, therefore, I submit, have been contrary to recognised policy regarding the use of firearms on such occasions, or it may even have been considered an unwise or injudicious act, but such expressions of considered opinion are very different to a finding of 'not justified'."

With those comments I agree. I have to add further that in regard to the quotation from Mr. King's evidence, the statement by Mr. King seems to have been taken out of its context and not fully quoted. Mr. King was referring to street fighting in a town, and not to fighting in the bush, of which, he said, he had absolutely no experience. The complete sentence reads:—

"The crowd then cannot rally—a mob can never rally."

That is to say a mob having been demoralised by a baton charge in the streets could not rally, but it could not refer to a mob in the bush, and in actual fact it was proved on many occasions that the women actually did rally, and in this actual incident at Abak they rallied several times. The chief reasons that the Commission have for condemning Captain Blackburne appear to be two, the first that if he had kept the women on the move there would have been no need for firing, or secondly that he should have stopped where he was and when the women appeared he should have gone for them with the butt of the rifle. As regards the first of these criticisms, it seems to have been forgotten that Captain Blackburne's duty was to clear the women out of the way to allow a passage for the troops to go through to Utu Etim Ekpo, and had he gone on down the road he would have had to go on for a good many miles. The result would have been either that the soldiers would have had to remain at Abak or they would have followed him and Abak would have been left in a defenceless position, and at that time it was not desirable that any Government station should be in a completely defenceless position. Captain Blackburne was also not operating in a narrow village street, but on a road. Had he gone too far it seems to me that he would have run the risk of being cut off by other mobs of women and men whom Captain Ford saw hanging about on the outskirts of the crowd. These, had he been cut off, might well have joined the women who were opposite to him, and he might very easily have been overwhelmed. He did his duty in not going farther than was necessary, and he could only judge that point by stopping every now and then to see if it was necessary to use further coercive measures. With regard to the second point the Commission considered he should have stopped and waited for the women to re-advance. The Commission however does not seem to have paid attention to the fact that there were no police or troops acting in reserve, that is to say, they were not in a position, if Captain Blackburne was overpowered to have opened fire, and Captain Blackburne's force was armed with rifles only and had no batons. If they had been overcome and had had their rifles taken from them, I imagine that a very serious and dangerous situation would have arisen. I think that that was fairly clear.

Now, in every case when the women were charged with the rifle butt or with batons they were at a standstill. Captain Blackburne had in every instance to deal with advancing mobs of women. That was a very different matter. Earlier in the day he had seen that the women could be brought to a standstill by firing at their feet, and it seems to me that in the circumstances he chose, and advisedly and rightly chose the best course he could by so firing at their feet. What would have happened had twenty police charged an advancing mob of women with the rifle butt it is impossible to say. I imagine that the situation would not have been a very happy one, and I personally think that it would have been disastrous. What actually happened when they were charged after having been brought to a standstill is described by Captain Ford on page 36 of the evidence of the Birrell Gray Report:—

“When I ordered the police to charge with the butts I expected the women to flee at once as they had done at Calabar four years ago. When the police charged the women at Calabar they immediately fled but not so here—they waited. The temper of this crowd was entirely different, they were absolutely frenzied, so much so that I thought a number of them were under the influence of tombo. The women who were arrested were still frenzied and it took a long time to wear off.”

That was the position when they were charged while stationary. What would have happened if they had been advancing I cannot say.

In such circumstances I think that Captain Ford and Captain Blackburne were fully justified in taking the best means they could to stop the advance of the women, and by firing their revolvers into the ground they adopted a course which was unorthodox but was certainly not unlawful. They did no harm, and as a matter of fact their action was temporarily successful and enabled a charge to be made. I have already expressed an opinion as to the further action taken by Captain Blackburne and I think that in this instance also Honourable Members will agree with me that the Birrell Gray finding is really the fairer.

The next item on the Commission's list is the firing at Utu Etim Ekpo, item (x):—

“At Utu Etim Ekpo on the 15th December, Lieutenant Browning, acting with the authority of the District Officer, Captain James, and having under his command a platoon of twenty-six men and a Lewis gun, ordered fire on two mobs of women which advanced towards his troops. At the first mob a section of six men fired two rounds rapid from their rifles with effect and three bursts of seven rounds each were fired from the Lewis gun, the first two unintentionally missing the mob and the third finding it; at the second mob one burst of seven rounds was fired from the Lewis gun with effect. The total casualties as proved before us were eighteen women killed or died of wounds and nineteen other women wounded. We find that this firing was not justified.”

Both these cases again were instances of advancing mobs of women and again of a small force which had to meet that advance. The Commission in dealing with this incident again refers to the fact that at Abak on the first occasion when firing took place the women were dispersed by a charge with the rifle butt, but it again omits to point out that when that charge took place the women were stationary. This is an entirely different thing from dealing with an advancing mob of women, and I feel I cannot emphasise that point sufficiently. At Abak before the charge took place, the mob had been brought to a standstill by the use of the officers' revolvers. On this occasion also there was no reserve. You could hardly call the Lewis gun a reserve, I think. It is at least open to question in view of the fact that these were advancing women whether a charge would have been of the slightest use. It is almost certain that owing to the sheer weight of numbers the men would have been overwhelmed and possibly disarmed, and in their treatment of this particular incident the Commission does not seem to have been really very fair. I cannot help thinking that their judgment was dominated by the fact that the aggressors were women. You must however consider that on the first occasion when firing took place fire was opened at 100 yards distance, and the women then advanced another forty yards before they stopped. Women who can advance forty yards in the face of rifle and Lewis

gun fire are pretty desperate people, and not likely to be turned aside by the employment of any other arguments. It seems to me that if that small force of soldiers had been overwhelmed and disarmed as might easily have happened, even the Commission would have admitted that a very dangerous situation would have arisen quite apart from the enormous moral effect that such a disaster would have had.

In dealing with this question, one cannot help feeling sorry for the officers concerned. I happen to know that firing on women was very repugnant to them, and that none of them liked it, and in that very difficult dilemma in which they were placed, I think they deserve our sympathy and the sympathy of the Commission, and not the criticism to which they have been exposed. In not attempting to charge with the butt of the rifle at Utu Etim Ekpo, Lieutenant Browning was acting in accordance with the general principles regulating the employment of soldiers in civil disturbances. In connection with this a recent decision of the Government of India dealing with the cases of firing that took place in the Peshawar riots last April is of importance. I will read an extract from the Judicial Commission's Report:—

“ That it was essential to disperse the crowd and the only effective means of doing so was by opening fire.”

* * *

“ That the ten rounds fired by the machine gun and the twenty rounds fired by the men of the Yorkshire Light Infantry were no more than was necessary to effect the dispersal of the crowd.”

* * *

“ We think that the men of the Garwahl Rifles found themselves placed in an extremely unfortunate position. They were a handful, and were called upon to advance against a dense crowd and press it back in circumstances in which they could not make use of the advantage which their weapons would normally have given them.”

This last criticism was further supported by the statement of the Government of India which says:—

“ The situation in which the troops were placed previous to the second firing emphasises the difficulties and dangers likely to occur through non-observance of the accepted principle that troops should not be brought into close physical contact with a violent hostile mob.”

The last two quotations are a good example of the lamentable results which follow the adoption of the very methods which the Commission in this instance has prescribed.

The finding of the Aba Commission in the Utu Etim Ekpo incident is again in direct opposition to that of the Birrell Gray Commission. I have already quoted the first part of the Birrell Gray Commission's comments, and I will now quote the other:—

“ With regard to the firing at Utu Etim Ekpo on the 15th, we likewise consider that the firing which took place on both occasions was absolutely necessary: that the firing was done with due skill and caution, and that no more harm was done than was absolutely necessary to repel the attacks upon the troops and to prevent further outrages.”

In view of these facts and the finding of the Birrell Gray Commission I am not prepared to accept the finding of the Aba Commission on the incident at Utu Etim Ekpo, and I cannot help thinking that we might have been spared the reference with which the Commission ended its consideration of this incident, and which is given in paragraph 213 of the Commission's Report. In connection with this particular incident reference has been made to the use of the Lewis gun, and the Commission seems to have relied on the evidence of Major Walker, Deputy Inspector-General of Police. I would have accepted the evidence of Major Walker with much greater respect had he ever in employing police in the suppression of civil disturbances had an opportunity of using a Lewis gun, but to my certain knowledge, and I have been in this country nearly as long as the Deputy Inspector-General, the police have never been armed with a Lewis or machine gun. I cannot

therefore regard the evidence of Major Walker as reliable. In actual fact I think the probability is that the opinion which I will now read to you is more reliable. It is the opinion of a civilian officer who served in France during the war. He said:—

“During the war, whenever I wished to exercise strict fire control, I always used Lewis guns, if I had enough, in preference to rifles because it was possible to exercise absolute control which is never possible with rifles. It is possible to exercise more accurate aim (I think the two occasions on which the mob was missed were due to the Lewis gunner imagining he was to fire overhead or at the ground) and to cover a wide or narrow front with a very small number of shots. The moral effect is greater, but not in the way that the Commission appears to imagine. The even sound of a Lewis gun is far more alarming than ragged rifle fire. The result is that ten rounds from a Lewis gun have the stopping effect of forty rounds of rifle fire and cause not more than a third of the casualties. This is illustrated by the fact that the first mob was not checked by six men firing two rounds rapid but was by a Lewis gun firing seven rounds and the second mob was stopped by one burst of Lewis gun. Surely the bitter memories left by using Lewis gun instead of a rifle will be less than those caused by eighteen rifle casualties instead of six Lewis gun casualties.”

With regard to the two remaining incidents of the alleged unjustified firing, numbers (xi) and (xiii) on page 124 of the Commission's Report, the information given as to number (xi) is really too vague to enable me to discuss it. It may have been unjustified, but I have no means of knowing whether it was done by the police or by anybody else. The other case was that:—

“At Okpala on the 20th December, a platoon of troops under the immediate command of Captain McCullagh with Captain Cornish in command of the patrol were pushing back a crowd of disorderly women with the butts of their rifles which were loaded with a cartridge in the breech. One rifle went off accidentally, two or three more were fired in the air, and then one recruit, thinking the order to fire had been given, fired with aim and wounded a woman, but not seriously. We find that this firing was not justified.”

This was a misunderstanding on the part of a recruit which might happen anywhere, but in actual fact the incident does illustrate the difficulties likely to follow the employment of soldiers in carrying out police duties.

The last incident with which I will deal in connection with the firing was not said by the Commission to be unjustified at the time that it occurred, but they consider that the incidents which led up to the firing (the action of the District Officer) were unjustified, and they also criticised the control of the firing by Lieutenant Hill. I agree with the Commission when it says that Mr. Whitman ought not to have held that meeting. I also agree that he ought not to have weakened his police by distributing them in different parts of the town, but I ask you what would it have said, what would have been the decision of the Commission, had he not done so. I think I can give it to you:

“To do such a thing would be neither British nor just. The people would feel that they had been led into a line of action, the purpose of which they did not understand. It would naturally arouse suspicion in the minds of the people. This would contribute to restlessness and create a sense of oppression.

If such action had been taken by any man, from our knowledge of the people, we do not think they would trust his word again. It would sow the seed of discontent and there is still the irrevocable law of nature that operates in the ethics of government—you reap what you sow.”

As regards the distribution of his force throughout the town, I think I can give you again the comments which the Commission would have made if, owing to his keeping his force together, the

cautious measures to cope with such serious developments as the events of that and the previous day might reasonably have been expected to foreshadow, we consider that Mr. Whitman was guilty of an error of judgment."

Personally I consider in view of the incidents that had occurred previously at Aba, that their comments would have been very much more severe.

Honourable Members will therefore appreciate the fact that Mr. Whitman was in an impossible position from which there was no hope that he could escape with credit. It is quite obvious now that he was unwise in holding the meeting, but it was a form of unwisdom that could be expected of any administrative officer whose inclination and training would make him go to the utmost limits of patience in an endeavour to persuade the ignorant and misinformed to see reason and abandon violence. For that reason I cannot personally blame Mr. Whitman; though I think that he was wrong. As regards the other principal actor, Mr. Hill, it seems to me that he was in an impossible position also. He had to deal with a situation which already existed when he arrived at the Opofo District Office, and that situation was due to the persistence of the District Officer in holding the meeting. He could have taken over there and then and dealt with the situation, but I do not think it fair to expect that a subaltern should have taken over the control from a District Officer who was years his senior in age and experience before that officer was prepared to allow him to do so. As to the control of the firing it seems to me that in the extraordinarily difficult position in which he found himself and the deafening din Mr. Hill controlled the firing as far as he possibly could. I should have been very sorry to have had to decide at what moment sufficient force had been employed, but I think that Mr. Hill at least did his best by ordering the 'cease fire' as soon as he observed that the firing had taken effect. In this instance too I do not think that Lieutenant Hill has been treated fairly.

Finally as regards this very unhappy affair, I should like to refer Honourable Members to the findings of the Birrell Gray Commission. It was satisfied:—

- (a) That the firing at the time it took place was absolutely necessary in order to protect life and property.
- (b) That it was done with all reasonable caution.
- (c) That it produced no further injury than was absolutely necessary for the prevention of felonious outrage."

With that finding I am in agreement.

That, Sir, concludes my review of the instances where alleged unjustifiable firing took place, but there are one or two observations of a general character which I should like to make. The first of these is in regard to the employment of troops. Now it is axiomatic that in every operation there should be a reserve. In cases of civil disturbance in Nigeria the first line would naturally be the police, but for the second line the only reserve we have got is the Nigeria Regiment, and for the part that this reserve has to play lethal weapons are indispensable. This means that when you are going to employ soldiers they must be armed with weapons to meet extreme circumstances, and such extreme circumstances presupposes the employment of rifles. For that reason I cannot agree with the Commission's suggestion that the soldiers should have adopted what were practically the tactics of the police, and employed sticks to deal with the mobs. I do not think that it would have worked at all well, and in the only instance where this method was employed, the troops were surrounded, and a dangerous situation immediately arose.

The other point I would like to emphasise in dealing with these incidents is that the Birrell Gray Commission took each incident as it occurred, and as it appeared to the officers on the spot. The Aba Commission took each incident and dealt with it after a comprehensive survey of the whole field of the trouble and in the light of the wide knowledge which it had acquired during its inquiries. The first Commission said that the shootings were justified, and the second Commission said that they were unjustified and in the circumstances I think, Honourable Members, the first finding was fairer than the second to all concerned.

I have endeavoured as far as possible to be moderate in my reply to this motion, and I am bound to say that I was agreeably surprised by the moderation displayed by the mover and seconder of the motion. At the same time I hope that I have persuaded Honourable Members of the justice of my cause. If I have expressed my views moderately, it is not because I feel moderate about it at all. It would be idle to pretend that a report of this nature is agreeable to the Administrative Officers of the Southern Provinces or to myself. Officers do not appreciate having their names or the names of their friends dragged through the mud. They do not appreciate the abuse thrown at them as a result of the report when they have done their best. For that reason I suppose that there must be some resentment, but that I think in time will pass. The first duty of the Nigerian Service, especially of the Administrative Service, is to work for the good of the people of this country; and as far as possible to advance their welfare and their happiness. That work will still go on, and I think that in its increased efficiency and perfection will be found the true answer to detractors. And as regards instances where crises may arise in future—crises are inevitable; they will arise sometimes—I feel confident that the officers of the service, military, police and administrative officers, will do their duty as their conscience dictates without fear of the consequences to themselves. Of that I am glad to say I have already had full and sufficient proof. (Applause).

His Honour the Lieutenant-Governor, Northern Provinces:—

Your Excellency. Lest anything which I may say may cause any misunderstanding I wish to make it quite clear at the outset that I appreciate greatly the extensive work that has been put into the preparation of the Report of the Commission of Inquiry; I know a great many days and hours have been given up to the taking of evidence and to the consideration of the evidence taken. One appreciates the manner in which the non-officials, in spite of their private calls, have given up their time to public work. It cannot be thought for a moment that His Excellency's invitation to sit on this Commission was not received very seriously by every member. I know they must have realised that they might have to criticise those who had been concerned in these disturbances, and I am well aware that criticism is an unpalatable task to all. I cannot but feel that in dealing with these unfortunate events there is an inclination, and must be an inclination to be influenced rather by the fact that those who were concerned in creating these disturbances were principally women. It is difficult for anybody, whether European or African, or indeed for any person at all not to adopt a frame of mind which leads one to excuse the actions of women, and which therefore inclines one perhaps too much to criticise the action of the officials concerned in dealing with the disorders, and I do not think myself that sufficient stress has been laid upon the guilt of these women who worked themselves into an increasing state of excitement and committed these very serious acts of lawlessness of which we are all aware. As these disturbances progressed and as more and more meetings were held, there is ample evidence that these women became more and more incapable of reason, and more inclined to be swayed by primitive passions which it was impossible to control, and I was much interested to hear this morning in that connection what was said by the Honourable Member for the Ibo Division whose knowledge of the Ibo is very intimate indeed. We have in recent years witnessed the difficulties experienced even in advanced European countries by women combining together against the forces of law. Some members of the Commission have traditional memories at any rate of the terror that used to be inspired by the employment of females by the Dahomians, and of the raids which used to be carried into British country. The whole of the countryside at those times when these people came in was in a state of terror. We have again to realise that these Ibo women are primitive people, who are easily swayed by primitive passions, and that once they lose their self control it is very difficult to say that their lawlessness can be checked by anything but severe measures.

His Honour the Lieutenant-Governor of the Southern Provinces has dealt in very great detail with the various occasions on which officers have been criticised as having used force that was unjustified. I will therefore myself only refer to these occasions very briefly. I feel personally that, taking into consideration the extent of these disorders, the actual force used to deal with the

situation was moderate indeed. Looking at these actual criticisms in paragraph 421 (ii) of the Report of the Commission, there is reference to the occasion when Captain Ford, Commissioner of Police, fired as a warning two revolver shots into the ground in front of a man who put his foot on a line drawn in front of the Police Force. One must remember that it was absolutely essential that the forces should keep control of the situation when confronted with greatly superior numbers. They could not afford to come into direct contact with the opposing mobs and attempt to use arms that were not greatly superior to those at the disposal of the mobs, and it seems to me that on this occasion, and on subsequent occasions when, in breach of regulations to use effective rifle fire only, the officers concerned fired into the ground, they were, in actual fact in the light of common sense, amply justified.

Later under (v) we come to an occasion when three volleys were fired over the heads of a mob by a party of five police led by a European officer. I think one may say again very justly that the mob had to be controlled somehow. What else then could be done except to fire over their heads, unless effective rifle fire was to be opened immediately, and I do not think that the Report would have supported that action.

I will pass over some of the criticisms that have been dealt with by His Honour the Lieutenant-Governor, Southern Provinces, and I will just mention number (x). Fire was opened on a mob which was advancing towards the troops, and I do think when judging that particular situation, that the fact that fire was opened in the first instance when the mob was at a distance of 100 yards, and the second firing was opened at only sixty yards did show very clearly that the mob was advancing and that one volley was not sufficient to stop it, and the second volley was absolutely essential. I think it is perfectly clear that if the firing in that case had been ineffective, the situation would have become very dangerous in that the forces engaged might have had a serious setback. There is no doubt if that had happened there would have been a grave and dangerous spread of the disorder right throughout the South Eastern Provinces.

Coming to the incident at Opobo which is dealt with under (xiii), and reading the accounts of what happened there, it is really pathetic and tragic, as I found at the time when reading the reports, to endeavour to realise the attempts of the officers concerned to deal with the situation without the use of extreme force. The result of their endeavours and of the patient and long labours of the District Officer has been adverse criticism. Criticism could be and has been levied that he might have forced a crisis at an earlier stage and that it might not then have been necessary to cause so many casualties. In my own mind I am perfectly certain that if that had been done, the criticism would have been made with some seeming show of force, that the District Officer had promised to hold a meeting with these women, and that instead of allowing them to have their say (in which case they would probably have been pacified) the District Officer forced a crisis, and by his unreasonable and hasty action made it necessary to employ force. I am perfectly certain in my own mind that that would have been said and with some show of support on the evidence. The fact is that the officers concerned were in a hopeless dilemma whatever they did, there was bound to be a tragedy, and if there was a tragedy they were bound to be blamed by some people. I maintain that in view of the extent of the disorders and the inherent difficulties of the situation, it is a tribute to those concerned in suppressing them that so little violence was actually used. But apart from that even if mistakes have been made I claim that final judgment should and must take into account the very great difficulties of the situation facing these officers. They had no time whatever to read up instructions but they had to face the position before them and act on the spur of the moment. It is always very easy to criticise after the event sitting down with all the facts and all the evidence before one. On the one hand the officers had to remember that if they used insufficient force, if they allowed these mobs to get the upper hand, they would have been directly responsible for the spread of the disturbances throughout the South Eastern Provinces, which would without doubt have resulted in very much more damage to property and very much more loss of life than actually occurred, and it was the duty of the officers concerned, their clear duty, to use sufficient force to stop those disorders with which they had immediately to deal. On the other hand they had to make up

their minds as I have said on the spur of the moment, and they knew perfectly well as we all know that whatever force they did use would be subject to criticism later, and they knew that if they used force which could be said to have been excessive or unjustified, that their careers might have been at stake. They had to realise that not only would they be subjected to the calm and reasoned criticism such as is contained in much of the Report of the Commission of Inquiry, but that they would be subjected to venomous attacks from those who take every opportunity of dragging into the mud and bringing odium upon the names of those officials who have the unpleasant duty of grappling with disturbances. We have seen the type of criticism that has been levied for instance in respect of events that have occurred in India, criticism which those who are familiar with India know to have been very unjust.

I feel that having been associated with those officers, military and civil, whose duty it was to deal with these disturbances, I must stand with them as a target for criticism, and as accepting their responsibility, in that they were acting under my general instructions and in that both at the time of these disorders and after, I have consistently maintained that in an extraordinarily difficult situation, unprecedented in Nigeria, the officers concerned did their best and a good best.

His Excellency:—

There is a motion before the Council, and there is an amendment before the Council. I shall put the amendment first.

The Hon. the Third Lagos Member (Mr. T. A. Doherty):—

Your Excellency, I should be glad if I might be allowed to say something in regard to the procedure adopted by the Government in regard to this motion. If in reply to my motion the Government had said in their usual way "the matter is receiving the attention of Government", we might have been satisfied, but for the Government to have adopted the procedure they have this morning is something I cannot understand. Here is a Commission set up by the Government composed of men eminent in the history of Nigeria and recognised as worthy of the task devolving on them. The Chairman was the Chief Justice of Nigeria, and amongst its members were Mr. Hunt, Mr. Graham Paul, Sir Kitoyi Ajasa, Leader of the Bar, and Mr. Osborne. These men took enormous pains in arriving at their decisions, and as I said in my speech this morning, I thought the Government was going to give a decision as to what punishment should be inflicted on officers whom the Commission had found to be guilty. I also stated that I hoped this Council was going to sit as a tribunal in order to give a decision as to the punishment. I said that this Commission constituted a jury: they have gone thoroughly into the causes of the riots, and they have spent a wonderful amount of time in arriving at their conclusions and preparing their report.

We have had the benefit of listening to speeches from Mr. Falk, the Resident of Calabar Province, and from the Honourable Member for the Ibo Division, and we have heard the replies from the Government which show clearly that the Government are not in agreement with the findings of the Commission, although they have expressed appreciation of its work. It seems to me that when riots occur and Government have men ready to give up their valuable time to sit on a Commission of Inquiry, and the inquiry is so thorough and so exhaustive, that the Government should not have replied in the manner they have done this morning.

His Honour the Lieutenant-Governor of the Southern Provinces has made many references to the Report of the Commission, and if Your Excellency will turn to page 109 of the Report, paragraph 365, you will read:—

"The powers and duties of troops when employed in aid of the civil power in the suppression of disturbances are set out in Chapter XIII of the Manual of Military Law (1929 Edition) and to that Chapter there are three weighty appendices. The first contains the evidence of the late Lord Haldane, then Secretary of State for War, given before a select committee on Employment of Military in cases of Disturbance (Parliamentary Paper, 1908, H.C. 236); the second gives an extract from the report of the

Committee on the Featherstone Riot (Parliamentary Papers, 1893-94, C.7234)—a report which 'gains weight from the fact that the committee was presided over by Lord Bowen'; and the third prints an opinion of the Law Officers, Sir Rufus Isaacs (now Lord Reading) and Sir John Simon, dated the 18th August, 1911, on the duty of soldiers called upon to assist the police. This chapter and its appendices lay down in terms as clear as can be defined in the English language the principles that govern the powers and duties of troops when employed in aid of the civil power in the suppression of disturbances, and their authority is expressly recognised in the "King's Regulations" (1). It is manifest that these principles must be accepted by all concerned as the main guiding principles in this matter. The only room for difference of opinion may be as to the application of the principles to particular cases. It is in so far as we consider that the principles were not properly applied that we have criticised certain actions taken by the troops in the recent disturbances."

It is conclusive, Sir, that the Commission did not simply give their opinions at random, but they have been guided by certain principles, yet it seems to me that this Government is now acting as counsel for the defence of these officers who have committed these offences. I thought that the Government would have given them what they considered their due punishment, but instead of that what I have heard this morning is a defence of the actions of the officers concerned in the events of this unfortunate incident. The question now arises, who is to be the ultimate tribunal to decide on this question? Is Your Excellency referring the matter to some higher Court or to the House of Commons? Something must be done as it is absolutely untenable that this matter should be allowed to die and these men remain unpunished.

Your Excellency I do not see the necessity for the frequent references to the Birrell Gray Commission. The Kingdon Commission was set up later by the Government and was intended to be a much fuller and more representative Commission, and the greater absorbed the less. It is not proper now to refer to the Birrell Gray Commission.

Your Excellency, and officers representing the Government of Nigeria, I ask you to reconsider your decision in this matter. Mine is a voice crying in the wilderness to show Your Excellency that it is your duty to warn the Government, and I ask you again to consider fully and seriously what shall be your decision in this matter.

His Excellency:—

I will first put to the Council the amendment of the Honourable the Acting Chief Secretary. In order that there shall be no misunderstanding, I will read to the Council the motion as it will stand amended:—

"That this House expresses its profound regret which the Honourable Members, equally with Your Excellency's Government, feel for the loss of life which the disturbances in the Calabar and Owerri Provinces of Nigeria occasioned, and its deep sympathy with all those to whom the events have unfortunately brought personal bereavement."

Will those in favour of the amendment say "Aye" and those against "No."

The "Ayes" have it.

I will now put the original motion. Will those in favour of the original motion say "Aye" and those against "No."

The "Ayes" on the original motion I think are two.

The Hon. the Commercial Member for Calabar (Mr. C. Graham Paul):—

On a point of order, Sir, is it necessary to put the original motion after the amendment has been carried?

His Excellency:—

I think so, but as the amendment has been carried, it would, I think, be convenient to take a vote on the original motion as it stood.

Honourable Members voted as follows:—

FOR 2.

The Hon. the Third Lagos Member.
The Hon. the First Lagos Member.

AGAINST 35.

The Hon. the Commercial Member for Port Harcourt (Provisional).
The Hon. the Mining Member (Provisional).
The Hon. the Commercial Member for Kano (Provisional).
The Hon. the Member for Shipping (Provisional).
The Hon. the Member for the Ibo Division.
The Hon. the Banking Member.
The Hon. the Member for Calabar.
The Hon. the Member for the Warri-Benin Division.
The Hon. the Commercial Member for Lagos.
The Hon. the Member for the Ibadan Division.
The Hon. the Commercial Member for Calabar.
The Hon. the Member for the Colony Division.
The Hon. Mr. G. B. Hedden.
The Hon. Lt.-Col. R. H. Rowe.
The Hon. the Director of Agriculture.
The Hon. the Director of Public Works.
The Hon. the General Manager of the Railway.
The Hon. the Acting Deputy Chief Secretary.
The Hon. the Resident, Onitsha Province.
The Hon. the Senior Resident, Ilorin Province.
The Hon. the Senior Resident, Calabar Province.
The Hon. the Secretary, Northern Provinces.
The Hon. the Senior Resident, Zaria Province.
The Hon. the Senior Resident, Oyo Province.
The Hon. the Director of Marine.
The Hon. the Administrator of the Colony.
The Hon. Mr. E. R. J. Hussey.
The Hon. the Comptroller of Customs.
The Hon. the Director of Medical and Sanitary Service.
The Hon. the Commandant.
The Hon. the Treasurer.
The Hon. the Attorney-General.
His Honour the Lieutenant-Governor, Southern Provinces.
His Honour the Lieutenant-Governor, Northern Provinces.
The Hon. the Acting Chief Secretary to the Government.

ABSTENTION: The Hon. the Member for the Rivers Division.

His Excellency:—

The motion is therefore lost.

Council adjourned at 1 p.m.

Council resumed at 2.30 p.m.

His Excellency:—

Honourable Members. Before we proceed with the business of the day I should like to express my sincere appreciation of the manner in which the debate was conducted this morning. It was a difficult debate on a serious subject on which feelings ran high. The proposer and seconder of the motion performed a difficult task with dignity and set forth their arguments in temperate and considerate language. In doing so they added to the dignity of the debate and to the dignity of this Council.

MOTION.

The Hon. the Third Lagos Member (Mr. T. A. Doherty):—

Your Excellency. I rise to move the following motion:—

That in the Union of this Council, the question of the Native Courts in the Protectorate of the Southern Provinces being one of grave and urgent importance, the recommendation embodied in paragraphs 336 and 422 (c) 8, of the Report of the Kingdon Commission of Inquiry (Sessional Paper No. 12 of 1928) "that Your Excellency should be pleased to appoint a Special Commission to enquire into and report upon the Native Court system in the disturbed areas" be adopted forthwith; and that such Inquiry should extend to other areas in the Southern Provinces of the Protectorate of Nigeria.

I do not expect that this motion will be of a contentious nature. It is based on the recommendations of the Kingdon Commission and on their personal experience of the value of the Native Court system; and the Commission has gone thoroughly into the question and has thought it the proper thing to point out that a Commission of Inquiry should be set up.

On page 98 of the Report of the Commission details are given of several of the difficulties of and complaints against the Native Court system. One complaint was that:—

"When the action is taken the Court clerk would say: 'Unless you give me a drink I will not call your case.' He would receive from you about three or four bottles of drink and then he would call your case. The Chiefs would also say, 'unless you give me a drink I will not take your case.' Whether or not this practice is prevalent, it appears that delay in hearing cases and the number of journeys to and from the Court that have to be taken in consequence is a source of considerable irritation; and the matter in our view demands increased vigilance of Administrative Officers."

Further on the question of fees accepted by Court Messengers is discussed, and other matters, and finally the Commission recommended an inquiry into the whole Native Court system. We quite realise that the districts are not all equally developed, and we all realise that it is no mean task to educate the people in self government. It takes time, but the policy of the British Administration is indirect rule, and that the Africans should be given wider powers of government. I think it is only right that Your Excellency should agree to this recommendation of the Kingdon Commission; and I therefore move that a Commission should be appointed to enquire into the Native Court system.

The Hon. the First Lagos Member (Dr. C. C. Adeniyi-Jones):—

Your Excellency. In seconding the resolution I am entirely dependant upon the Report of the Kingdon Commission and to the chapter concerning grievances against Native Court Members to which the Honourable Member has just referred. A paragraph under that heading reveals very serious allegations, allegations which if they are well-founded show that a state of affairs exists which is not doing credit to any system of justice. Now that His Honour the Chief Justice has had an opportunity of hearing some of the grievances in connection with the system and has recommended in consultation with the members of the Commission, that it is desirable that an inquiry should be held, I think there is sufficient justification for the recommendation to be put into effect, especially when it is remembered that that system has been subjected to criticism extending over a long period of many years. The resolution does not ask for the abolition of the system, but simply for an inquiry in the hope that whatever may be necessary in order to remodel the system may be effected, in order that it may work satisfactorily in the administration of justice in the interests of the natives of the districts who are concerned, and I am labouring under the hope that the Nigerian Government will have no objection to giving effect to the terms of this resolution.

I can remember a long debate in this Council when Honourable Members had before the Council reasons showing the defects that obtain in the system. I am not a lawyer consequently I wish

to make it definitely clear that in supporting this resolution I am depending entirely on the Report of the Aba Commission. I beg to second the motion.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

Might I suggest, Sir, at the risk of breaking the self-denying ordinance of silence that the members of the Commission have succeeded in maintaining throughout this morning, that the same course might be adopted at this stage as was adopted this morning of announcing to the Council whether the Government have any intentions in regard to this particular recommendation of the Commission?

His Honour the Lieutenant-Governor, Southern Provinces:—

Your Excellency. There are a good many reasons why we should not have another Commission at this stage in the Southern Provinces, and personally I feel that suitable improvements can be made in the situation without having another Commission. We are having a great many administrative inquiries made throughout the provinces, and these inquiries will certainly lead to very considerable reforms in the Native Courts. The Native Courts as we know them nowadays will, I hope, be almost unknown in future. I am talking of course of the Eastern Provinces. In provinces like Oyo and provinces in the western area where the Native Courts are managed by their own chiefs there have been very few complaints, but in the Eastern Provinces there have certainly been many complaints, and at the present moment Residents and District Officers of all those provinces are doing their best to obtain information that will enable us to deal with the situation, remedy those grievances which have been brought to light by the Aba Commission, and to set up Courts which will be really Courts of the people of the country and where the chiefs are properly represented. In this connection I should like to call attention to the fact that in some places the representatives could be people of enlightenment, which is a fact the Aba Commission called attention to. It is desirable to have those sort of people on the Court and there will be a very considerable improvement in the personnel.

Personally I think it wiser to leave it at that for the present. If in the course of a year or two we find things are not going as well as they might, then I suggest you bring the matter up again, but for the present I do not think it would be wise or advisable to work on this suggestion. The Aba Commission has inevitably had repercussions in the Eastern Provinces, and a certain amount of unrest has followed its long sittings. It could not be otherwise, and this unrest has also followed the announcement of the findings of the Commission. If we had another Commission it seems to me that the same situation would occur and we should not get very much more information than the Aba Commission has got already.

The intention of the Government is to reform the Native Courts but we have got to go fairly slowly to find out how best we can carry out that intention.

The Hon. the Acting Chief Secretary to the Government:—

Sir. There have been very serious disturbances in the South-Eastern Provinces and it is time those provinces had a rest. The Lieutenant-Governor and his administrative officers are doing their best to inquire into the Native Court system and investigate complaints made against it, and it is the feeling of the Government that they should be given a chance to see what results they can get. I would suggest to the Honourable Member who moved the motion that we adjourn the debate until the next meeting of this Council, either tomorrow or Friday, and in the interval we will discuss the position among ourselves. I feel certain I can explain to him reasons why the Government does not wish to have a Commission at this juncture.

The Hon. the Third Lagos Member (Mr. T. A. Doherty):—

I agree to the Honourable Chief Secretary's suggestion, Sir.

His Excellency:—

The debate will therefore stand over.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I move the following resolution which stands in my name:—

“ Be it resolved: That this Council consents to the Order-in-Council made by the Governor-in-Council under section 2 of the Customs Tariff Ordinance, 1924 (No. 2 of 1924) on the 6th day of October in so far as the said Order applies to the Southern Provinces and Colony of Nigeria.”

The effect of this resolution, Sir, is to include in the Free Schedule of the Customs Tariff Ordinance goods imported for use in native hospitals, and for other medicinal purposes.

The Hon. the Controller of Customs:—

I beg to second the motion.

The motion was agreed unanimously.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I rise to move the following resolution:—

“ Be it resolved: That this Council do approve the expenditure of £720,000 (£420,000 being provided from surplus balances or by a re-allocation of Loan funds, and interest thereon at five per cent. for seven years by an annual grant of £21,000 from the Colonial Development Fund, and £300,000 being provided from the Railway Renewals Fund) on the relaying of the railway line between Minna and Kaduna.”

The relaying of this line, Sir, is referred to in paragraphs 98 and 256 of Colonel B. Amund's Report on the Nigerian Railway. Briefly the proposal is the realignment of a section of railway 104 miles between Kaduna and Minna, reducing the excessive gradient and the excessive wear on that section of the line, and replacing the 45 lb. rails which are there now by 60 lb. rails. By this means, Sir, the capacity of this section will be considerably increased. The handling of traffic will be made easier, more economical and considerably safer. Under existing circumstances the loads of trains have to be reduced when they are passing over this section of 104 miles, which is, in fact, the weakest link in the system of railways in Nigeria. The re-marshalling of trains at Minna and Kaduna, either end of the section, involves considerable delay and considerable expense.

Honourable Members have had put before them a Sessional Paper containing the proposals. They will find that the total cost of this realignment is estimated at £720,000. It is hoped, however, that we shall be able to do it for a smaller sum. This sum has to be found as regards £300,000 from the Railway Renewals Fund to which contributions are made year by year, but the balance of £420,000 will be found in the first instance from surplus balances, and will be repaid at a later date in whole or in part by a loan. The Colonial Development Fund are giving the Government as a free grant interest-free this sum of £420,000 over a period of seven years, this amounting to £21,000 a year, and a total of £147,000. There seems to be no doubt that this work will have to be undertaken in any case before long and the General-Manager of the Railway is insisting that it is necessary for the safety and economical working of the Railway that it should be undertaken as soon as possible. Moreover at the present moment the price of materials is lower than usual, and Government is of opinion that it is desirable to take advantage of the generous offer of the Colonial Development Fund to make the necessary improvements on this section of the line.

The Hon. the General Manager of the Railway:—

Your Excellency in rising to second the motion I should like to amplify the Chief Secretary's remarks with one or two items in connection with the work. First of all it is absolutely necessary today to relay this section, and it would be a great mistake to put down a new rail and a heavier one on the existing alignment which

is built as a blind alley railway avoiding cuttings and going round hills and up the valleys. The consequent wear and tear on the line has been terrific and the replacement of worn-out rails and culverts is today costing several thousands of pounds a year.

During the month of December last we moved 45,000 tons of groundnuts over this section, and including haulage of coal necessary to work trains and so on, roughly 2,000 tons were shifted on this particular section. To enable us to do this, and to coal the trains which were working, we had a double shift through-out. It is a practice we do not care to adopt, but as a matter of expediency we were compelled to do it. I can assure Honourable Members of this Council that in voting this sum they may rest assured that it will be money well spent in view of the fact that we anticipate that with the more powerful locomotives which we have today, we can practically double the load over this particular section—that is compared with what we carry today.

We have actually pulled from Minna to Zaria eleven hundred odd tons, the maximum load on the Minna-Kaduna section being, however, in the neighbourhood of six hundred tons. That will give you an idea of the improvements to be effected and the consequent decrease in the cost of the work. At present it constitutes a bottle neck and a very severe one on our system.

In regard to the transport of groundnuts we have endeavoured to divert a portion of the large crop towards Port Harcourt, but this did not meet with the view of exporters, I think mainly on account of lack of shipping at Port Harcourt. We can today haul more economically to Port Harcourt over a 60 lb. track, but the whole tendency is to bring the exports from the North to Lagos where the discharge is quicker. I therefore beg to second the motion.

The Hon. the Commercial Member for Port Harcourt (Provisional) (Mr. C. E. Hartley):—

I should like this Council, Sir, to have the benefit of some information from the Shipping Member as to this outstanding fact. We learn for the first time that there is not sufficient shipping to deal with the exports of this country from Port Harcourt.

The Hon. the Member for Shipping (Provisional) (Mr. F. Bateman-Jones):—

I think, Sir, I may be able to say something to the Honourable General Manager's remarks as to the position. What I think might be said—I stand open to correction—is that the services which tap Lagos are greater than those which tap Port Harcourt. Although I did not mean to speak on this motion I should like to mention the inconvenience mercantile people have experienced recently in waiting for groundnuts from the north during the rush season, and I am given to understand that the section between Minna and Kaduna was the cause of the extraordinary delay. I hear that in December last the traffic the Railway had to cope with in groundnut trade was greater than has ever been known before, but the delay at this end was very great indeed. I may mention that in some cases we had groundnuts on the way from Kano for twenty-one days, and I would suggest that the inconvenience was general. Not only we, but all steamship companies have suffered greatly during the last two or three months, and I think this money should be expended.

The Hon. the Commercial Member for Kano (Provisional) (Mr. J. Neilson):—

May I ask the Honourable General Manager if, when this section is relaid, the whole of that line will be covered by 60 lb. rails?

The Hon. the General Manager of the Railway:

No Sir. The section from Minna to Kano is at present a 45 lb. track, and also the section from Zungeru to Minna. When the Minna, Kaduna section is relaid, the track from Minna to Kano will still be 45 lb. In due course these will be relaid, but there is no necessity at present in either of those two sections to regrade or to realign.

His Excellency—

I will now put the motion to the Council.

Will those in favour say 'Aye' and those against 'No.'

The motion was carried unanimously.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I rise to move the following resolution:—

"Be it resolved: That the Council approves the grant of
"an annual allowance at the rate of £22 *per annum*
"for life to Musa, late Greaser, Marine Department,
"with effect from the 1st January, 1931."

This man, Sir, had about thirty years service under the Government and all through he was reported on as giving efficient and satisfactory service. Unfortunately for him there was a break about 1916 (through no fault of his own) in his service which lasted for about a year. Had this break not occurred he would have been eligible for a pension. As it is we have to come to the Council to endorse the proposal with which I am sure you will all be in sympathy.

The Hon. the Director of Marine:—

I beg to second the motion.

The motion was carried unanimously.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I rise to move the following resolution:—

"Be it resolved: That the Supplementary Estimates,
"1931 (second and third quarters) which have been
"laid on the table today, be referred to the Finance
"Committee."

The Hon. the Treasurer:—

I beg to second the motion.

The motion was carried unanimously.

BILLS.

THE JUNACY (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the Senior Resident, Ilorin Province, a Bill entitled "The Junacy (Amendment) Ordinance, 1931" was read a first time.

THE TOWNSHIPS (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the Senior Resident, Oyo Province, a Bill entitled "The Townships (Amendment) Ordinance, 1931" was read a first time.

THE CRIMINAL CODE (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the Senior Resident, Zaria Province, a Bill entitled "The Criminal Code (Amendment) Ordinance, 1931" was read a first time.

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the Secretary, Northern Provinces, a Bill entitled "The Wild Animals Preservation (Amendment) Ordinance, 1931" was read a first time.

THE RAILWAYS (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the General Manager of the Railway, a Bill entitled "The Railways (Amendment) Ordinance, 1931" was read a first time.

THE SHIPPING AND NAVIGATION (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the Director of Marine, a Bill entitled "The Shipping and Navigation (Amendment) Ordinance, 1931" was read a first time.

THE NATURAL PRODUCTS (INDUSTRIES PROMOTION) ORDINANCE, 1931.

On the motion of the Honourable the Attorney-General, seconded by the Honourable the Director of Agriculture, a Bill entitled "The Natural Products (Industries Promotion) Ordinance, 1931" was read a first time.

The Honourable the Attorney-General gave notice that the second reading of the following seven Bills would be moved at a subsequent meeting of the Council:—

- (1) The Lunacy (Amendment) Ordinance, 1931.
- (2) The Townships (Amendment) Ordinance, 1931.
- (3) The Criminal Code (Amendment) Ordinance, 1931.
- (4) The Wild Animals Preservation (Amendment) Ordinance, 1931.
- (5) The Railways (Amendment) Ordinance, 1931.
- (6) The Shipping and Navigation (Amendment) Ordinance, 1931.
- (7) The Natural Products (Industries Promotion) Ordinance, 1931.

THE EDUCATION (SOUTHERN PROVINCES AND COLONY) (AMENDMENT) ORDINANCE, 1931.

On the motion of the Honourable the Director of Education, seconded by the Honourable the Administrator of the Colony, a Bill entitled "The Education (Southern Provinces and Colony) (Amendment) Ordinance, 1931" was read a first time, and the Honourable the Director of Education gave notice that the second reading of the Bill would be moved at a subsequent meeting of the Council.

THE 1929-30 SUPPLEMENTARY SUPPLY ORDINANCE, 1931.

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, a Bill entitled "The 1929-30 Supplementary Supply Ordinance, 1931" was read a first time.

THE 1931-32 SUPPLY ORDINANCE, 1931.

On the motion of the Honourable the Acting Chief Secretary to the Government, seconded by the Honourable the Treasurer, a Bill entitled "The 1931-32 Supply Ordinance, 1931" was read a first time.

The Hon. the Acting Chief Secretary to the Government:—

Sir, in accordance with Standing Order 36 I ask leave to suspend Standing Order 32 to allow this Bill to be read a second time at this meeting of the Council.

The Hon. the Treasurer:—

I beg to second the motion.

Standing Orders suspended.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I move the second reading of a Bill entitled "An Ordinance to provide for the service of the Colony and Protectorate of Nigeria for the year ending the thirty-first day of March, one thousand nine hundred and thirty-two."

This year, Sir, the Unofficial Members of Council expressed a wish that the Budget should be debated after they had had the opportunity of discussing the Estimates in Finance Committee instead of before as was done last year. Government is most

anxious to meet the wishes of Honourable Members in such matters, and an opportunity will be given for the Bill to be debated on the third reading (due course after the Select Committee has seen the Estimates). (I hear, hear). It is not necessary for me to say very much in connection with the Supply Bill in view of the fact that Honourable Members have had the Memorandum on the Estimates before them. A few general remarks will be sufficient.

The total estimated revenue for the year 1931-32 is £6,151,163, and the total expenditure is £6,410,424, in other words there is a deficit of £259,261 for which we are budgeting. Before the Government is condemned for this apparent recklessness in finance, I should like to point out to Honourable Members that the total expenditure to which I have referred, includes a sum of £260,000 which represents our annual contribution to the Supplementary Sinking Fund. As Honourable Members will remember this fund was instituted in 1927 with a view to redeeming such of the Nigerian Loans as from time to time it would be advantageous to redeem: for instance we floated in 1921 a loan bearing interest at the rate of six per cent. This is a very expensive loan and it will clearly be advantageous to this Government to redeem it at the earliest possible date. There is no legal obligation to pay off the loan before 1933, nor is there any legal necessity for a contribution to be made to the Supplementary Sinking Fund. That is an extra precaution taken by the Government in order to strengthen its credit. The contribution to the Supplementary Sinking Fund could be suspended for the current year, the year for which we are budgeting, without preventing us meeting our liabilities at the earliest possible opportunity. Fortunately, however, we still have a surplus balance to our credit and Government considers it good finance and good policy to continue contributions to this fund as long as possible. These surplus balances to which I refer now amount to £1,057,000. Last year at the Budget meeting of this Council His Excellency the Governor repeated the policy which had been declared by the Government of maintaining a minimum reserve of three and a half millions with which to meet any possible emergency, that might occur, and even with the deficit for which we are now budgeting there will still be £200,000 additional to that fixed reserve at the end of March, 1932. As I have said the estimated revenue is £6,151,163, that is to say £451,000 less than we estimated to receive last year. Decreases are shown in nearly every head of revenue. Under Customs Revenue especially there are considerable decreases and this is due not only to bad trade, with which we are all familiar, but also to the reductions which have been made in export duties, which were passed by this Council two meetings ago. In the Railway also there is a considerable decrease: this is due again not only to bad trade, but also to reductions in railway freight.

Honourable Members will observe that there is a special new head of revenue for the first time for contributions from the Colonial Development Fund. The last item under that head is the sum of £21,000 to which I referred in connection with the laying of the Minna-Kaduna line. Sessional Papers on other subjects have also been laid dealing with Colonial Veterinary Scholarship schemes, Dietetics Research and Tsetse Investigation, all of which the Colonial Development Fund is considering.

Turning now to expenditure there is a net decrease of £186,000 in the estimated expenditure for 1931-1932 as compared with the estimated expenditure last year, and I am glad to be able to say that within the last few days the Government has been able to see its way to making further reductions amounting approximately to £17,000. There are no large increases under the various heads of expenditure and there are many decreases as compared with last year. In the Public Works Extraordinary there is a decrease of £103,000, and in Railway Capital Works there is a decrease of £67,000. There are fairly large increases under Police, Pensions and Provincial Administration, and these are referred to in the Memorandum which accompanied the Estimates. Recurrent Expenditure as a whole has increased by £36,000 and Special and Extraordinary Expenditure has decreased by £222,000. The Government is fully alive to the serious economic conditions which now exist and which affect Nigeria no less than the rest of the world as regards revenue. Government is making continued efforts to hold back the rising tide of expenditure which is unfortunately accompanied by a serious fall in the actual revenue which has been received.

The situation is admittedly serious but the Government does not consider there is any need for panic or for those counsels of despair which would oblige us to give up all forms of development and to spend nothing during the next few years. When prosperity returns we must be ready to take advantage of it at the right time. During the years of prosperity which have passed we have built up large reserves. I have referred before to the sum of £4,000,000 which remains as surplus balances. There is moreover a sum of £1,135,000 to the credit of the Supplementary Sinking Fund to which I have also referred and £75,000 to the credit of the Railway Renewals Fund. This makes a grand total of £5,810,000 which we can credit as the reserves of Nigeria at the present time. In spite of the falling revenue we must build for the future of Nigeria. We do not want to spend our money recklessly but we do not wish to be accused of lack of courage in facing the situation. We must look forward to the eventual recovery of the trade and prosperity of Nigeria, and that future will not be imperiled by any fault of ours. (Applause)

The Hon. the Treasurer:—

Sir, I beg to second the motion.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

Might I suggest, Sir, that the same procedure be adopted as regards Bill Number 9 on the list? I refer to the suspension of Standing Orders in order that the second reading of this Bill, which never takes very much time, might be taken at this meeting of the Council?

His Excellency:—

Certainly, but we will finish with this Bill first. The question is that the Bill be read a second time. Will those in favour say 'Aye' and those against 'No.'

Bill read a second time.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I beg to move that this Bill be referred to a Select Committee consisting of His Honour the Lieutenant-Governor, Northern Provinces, His Honour the Lieutenant-Governor, Southern Provinces, the Honourable the Treasurer and all the Unofficial Members of the Council with myself as Chairman.

The Hon. the Treasurer:—

I beg to second the motion.

Bill referred accordingly.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I have pleasure in moving that Standing Orders be suspended to permit of 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 31st day of March, 1930."

The Hon. the Treasurer:—

I beg to second the motion.

Standing Orders suspended.

The Hon. the Acting Chief Secretary to the Government:—

This Bill, Sir, is the usual annual Bill to legalise the expenditure which has been incurred in excess of the provision in the annual appropriation Ordinance. There are of course savings quoted under many heads of expenditure, and all the amounts which are now provided for in this Bill have already been provided for by votes in Finance Committee. No notice is taken of the savings under the heads on which savings have been made, but there are

only actually eight heads of expenditure on which there have been excesses. In order to conform with the law it is necessary for the Government to come to this Council and obtain its endorsement for paying this amount.

The total additional expenditure is £715,298, and of this sum £696,600 is for expenditure on Loan Works advanced from revenue and recovered afterwards from those works.

The Hon. the Treasurer:—

I will now second the motion. I should like to supplement the remarks of the Honourable Chief Secretary by saying that the amount voted in the original Supply Bill for this year was £7,190,000 odd. The actual amount of money expended during the year against those heads was £6,289,901. There was therefore a net saving of £900,537, and the actual additional expenditure under the various heads really only amounts to £18,698. The gross saving was therefore £919,000, and the net saving £900,000.

His Excellency:—

The motion is that the Bill be read a second time. Will those in favour say 'Aye' and those against 'No.'

Bill read a second time.

The Hon. the Acting Chief Secretary to the Government:—

I move that Council should now go into Committee of the whole House to consider the Bill clause by clause. It is not the practice for this Bill to go to Select Committee.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

My recollection is that it is usual to take this Bill to Select Committee.

The Hon. the Acting Chief Secretary to the Government:—

No, Sir, but I am willing if you wish to take it to Select Committee.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

I have no objection to the usual practice, Sir.

Council in Committee

The Bill having passed through Committee without amendment, the Council resumed, and the Honourable the Acting Chief Secretary to the Government gave notice that the third reading of the Bill should be moved at a subsequent meeting of the Council.

Council adjourned at 3.20 p.m. sine die.

DEBATES
IN THE
LEGISLATIVE COUNCIL
OF
NIGERIA

ON
Monday, 2nd February, 1931.

Pursuant to notice the Honourable Members of the Legislative Council met in the Council Chamber, Lagos, at 9 a.m. on Monday, the 2nd February.

PRESENT:—

His Excellency The Officer Administering the Government,
Mr. G. Hemmant, C.M.G.

The Acting Chief Secretary to the Government,
The Honourable Mr. A. C. M. Burns, C.M.G.

The Lieutenant-Governor, Northern Provinces,
His Honour Mr. C. W. Alexander, C.M.G.

The Lieutenant-Governor, Southern Provinces,
His Honour Captain W. Buchanan Smith, C.M.G., M.C.

The Attorney-General,
The Honourable Mr. A. C. V. Prior.

The Treasurer,
The Honourable Mr. C. W. Leese.

The Director of Medical and Sanitary Service,
The Honourable Dr. W. B. Johnson.

The Comptroller of Customs,
The Honourable Mr. W. K. Combe.

The Honourable Mr. E. R. J. Hussey,
The Director of Education,

The Administrator of the Colony,
The Honourable Major C. T. Lawrence, O.B.E.

The Director of Marine,
The Honourable Captain L. J. Hall, O.B.E., R.D., R.N.R.

The Senior Resident, Oyo Province,
The Honourable Captain W. A. Ross, C.M.G.

The Senior Resident, Zaria Province,
The Honourable Mr. G. S. Browne, C.M.G.

The Secretary, Northern Provinces,
The Honourable Mr. G. J. Lethem.

The Senior Resident, Calabar Province,
The Honourable Mr. E. M. Falk.

The Senior Resident, Iorin Province,
The Honourable Mr. H. B. Hermon-Hodge.

The Resident, Onitsha Province,
The Honourable Mr. F. H. Ingles.

The Acting Deputy Chief Secretary,
The Honourable Mr. C. C. Whiteley.

The General Manager of the Railway,
The Honourable Mr. E. M. Blair, C.M.G.

The Director of Public Works,
The Honourable Mr. C. L. Cox.

- The Director of Agriculture,
The Honourable Mr. O. T. Faulkner, C.M.G.
- The Honourable Lt.-Col. R. H. Rowe, D.S.O., M.C.
The Commissioner of Lands.
- The Honourable Mr. G. A. Hobden,
The Postmaster-General.
- The First Lagos Member,
The Honourable Dr. C. C. Adeniyi-Jones.
- The Member for the Colony Division,
The Honourable Sir Kitoyi Ajasa, Kt., O.B.E.
- The Commercial Member for Calabar,
The Honourable Mr. G. Graham Paul.
- The Member for the Egba Division,
The Honourable Mr. S. H. Pearce.
- The Member for the Rivers Division,
The Honourable Mr. Mark Pepple Jaja.
- The Commercial Member for Lagos,
The Honourable Mr. R. F. Irving.
- The Member for the Warri-Benin Division,
The Honourable Mr. I. T. Palmer.
- The Member for Calabar,
The Honourable Mr. C. W. Clinton.
- The Third Lagos Member,
The Honourable Mr. T. A. Doherty.
- The Banking Member,
The Honourable Mr. L. M. Herapath.
- The Member for the Ibo Division,
The Venerable Archdeacon G. T. Basden.
- The Member for Shipping (Provisional),
The Honourable Mr. F. Bateman Jones.
- The Commercial Member for Kano, (Provisional),
The Honourable Mr. J. Neilson.
- The Mining Member (Provisional),
The Honourable Mr. J. G. Foley.
- The Commercial Member for Port Harcourt (Provisional)
The Honourable Mr. C. E. Hartley.

ABSENT.

- The Commandant,
The Honourable Colonel A. J. Ellis, D.S.O.
- The Senior Resident, Cameroons Province,
The Honourable Mr. E. J. Arnett, C.M.G.
- The Senior Resident, Adamawa Province,
The Honourable Mr. G. W. Webster, M.B.E.
- The Senior Resident, Owerri Province,
The Honourable Mr. W. E. Hunt, C.B.E.
- The Senior Resident, Niger Province,
The Honourable Mr. C. A. Woodhouse.
- The Senior Resident, Abeokuta Province,
The Honourable Mr. F. B. Adams.
- The Acting Secretary, Southern Provinces,
The Honourable Mr. G. H. Findlay.
- The Second Lagos Member,
The Honourable Mr. E. O. Moore.
- The Member Representing the Niger African Traders,
The Honourable Mr. S. C. Obianwu.
- The Member for the Oyo Division,
The Honourable Mr. A. S. Agbaje.

PRAYERS.

His Excellency the Officer Administering the Government opened the proceedings of the Council with prayers.

MINUTES.

The Minutes of the meeting held on Wednesday, the 28th January, 1931 having been printed and circulated to Honourable Members were taken as read and confirmed.

ANNOUNCEMENTS.

His Excellency:—

Before proceeding with the Order of the Day I wish to make an announcement. The financial situation is a matter of grave concern to all Honourable Members, and I think the situation will be understood better if I state clearly the attitude of the Government. Honourable Unofficial Members have been engaged for three days in Select Committee on a searching examination of the Budget. I wish to assure them that their labours have been highly appreciated and that the Government welcomes their assistance and is at one with them in their desire for economy. If it is the wish of Honourable Members that I should appoint a Retrenchment Commission, I am prepared to do so.

The question of economy has been engaging the close attention of the Government for some months. The same policy will still be pursued, and I will give my personal attention to possible further reductions in the establishment of European officers. I can make no definite promises, but the establishment of each department will be carefully considered and I feel that reduction will be found to be possible without sacrifice of essential efficiency.

The position is not such that reductions regardless of the consequences would be justified. The development of the country may be allowed to progress more slowly, but it should not be set back. I must also remind Honourable Members that reductions in establishment will not necessarily have an immediate financial effect. The effect will be felt later and will be reflected in reductions in related votes under Other Charges.

I propose also to appoint small committees on which unofficial interests will be represented to consider whether substantial economies can be effected by reorganisation in departments in which there is reason to believe that economy will be accompanied by increased efficiency. (Applause).

QUESTIONS.

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

1. (a) Is it the case that the Secretary of State has not approved of Government's proposal to impose income tax on non-natives in the Protectorate?

(b) If so, is it intended to repeal, with retrospective effect, the present Income Tax Ordinance and thus remove the existing anomaly of non-natives in the Colony paying income tax, while those in the Protectorate do not?

(c) How much of the income tax, estimated at £1,000, is paid by non-natives?

Answer:—

(a) The matter is still the subject of correspondence with the Secretary of State, and no final decision has been arrived at.

(b) Does not therefore arise.

(c) For the financial year 1929-30 the income tax paid by non-natives amounted to £4,035 out of an actual total of £21,887.

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

2. Relative to Government reply to Question No. 2 at the meeting of this Council on 29th September 1930 will Government please state what further progress has been made in expenditure incurred in connection with the Main Water Supply Scheme for Ibadan since the last meeting of this Council and when it is expected something tangible will result?

Answer:—

The Honourable Member is referred to the answer given to question 43 at the meeting of Council of the 28th January.

The total expenditure to date including salaries, instruments, boring plant, tools, etc., amounts to £4,378.

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

3. Relative to Government reply to Question No. 3 at the meeting of this Council on the 29th September 1930 will Government please state what further progress has been made and expenditure incurred in connection with the Electric Light Scheme for Ibadan Town since the last meeting of this Council and when it is expected practical work will commence and the system be completed?

Answer:—

The Honourable Member is referred to the answer given to question 43 at the meeting of Council of the 28th of January.

No expenditure has been incurred to date.

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

4. Relative to Government reply to Question No. 5 at the meeting of this Council on the 29th September 1930 will Government please state what further progress has been made in connection with the improved Lagos Street Lighting since the last meeting of this Council, and when it is expected the improvements will be completed?

Answer:—

In the Municipal area improved street lighting in Ebute Metta has been undertaken and the work is nearly finished. It must be understood that improved street lighting is a work of considerable magnitude. The work in Lagos will be undertaken next as materials become available.

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

5. Relative to Government reply to Question No. 6 at the meeting of this Council on the 29th September 1930 in regard to the Public Officers' Guarantee Fund, can Government please state whether any further progress has been made in this respect and if not what are the obstacles preventing progress?

Answer:—

Certain proposals in this connection have been referred to the Secretary of State whose reply is awaited.

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

6. Relative to Government reply to the Supplementary Question to Question No. 10 at the meeting of this Council on the 29th September 1930, is it not a fact that whenever two organisations or units both interested in the same subject are amalgamated economy in administrative and executive staff is to be expected and why this rule rarely functions when Government Departments are amalgamated, and if there is any instance where it has functioned will Government please cite same?

Answer:—

It is a fact that economy is expected.

It is a matter of argument whether it is or has been attained.

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

7. Will Government consider improving the dangerously narrow bridges on the Ogbomosho-Ilorin Road, some of which will barely take a single vehicle and where the slightest error of judgment would result in a serious accident?

Answer:—

No immediate proposals are under consideration but the matter will receive attention as soon as the financial situation permits.

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

8. (a) When making allowance for depreciation in Government stores is a record kept showing:—

(i) How much is due to deterioration in condition or quality of goods?

(ii) How much is due to fall in market prices?

If so, would Government give the figures for the last year?

- (iv) Why is it such medicines are in most cases, but not in every case, dispensed and delivered to the patients, or their guardians, without any labels bearing the directions for use?

And

- (v) What steps have been taken to prevent a continuance of this irregularity since it was brought to the notice of Government?

Answer:—

The reply is in the negative. However, understood that the matter is being investigated by a Sub-Committee of the Town Council.

The remaining parts of the question do not therefore arise.

MOTION.

The Hon. the Acting Chief Secretary to the Government:—

Your Excellency will remember that at the last meeting of this Council the Honourable the Third Lagos Member consented to postpone the debate on his motion in regard to an enquiry into the Native Court system with a view to my discussing the position with him. As I stated to him, privately, the Government has no objection in principle to an Inquiry into Native Courts in the Southern Provinces. At the same time such an inquiry is actually proceeding at the moment and is being conducted by His Honour the Lieutenant-Governor and his Administrative officers. The Government feels, although there is no objection in principle to the holding of a public inquiry, that at the present time it would not be in the best interests of Nigeria. It would be better that this inquiry should proceed quietly through the Administrative officers in those districts which have so recently been disturbed by the riots at Aba and other places. The Government feels quite sure that this inquiry by His Honour and his officers can attain as much as could be attained by a commission of inquiry at the present time, and I can assure the Honourable Member that this inquiry will proceed, and proceed as rapidly as possible.

The Hon. the Third Lagos Member (Mr. T. J. Doherty):—

In view of the statement made by the Honourable Chief Secretary, I am prepared to withdraw my motion.

His Excellency:—

Is it the wish of Honourable Members that this motion should be withdrawn?

There was no objection and the motion was withdrawn accordingly.

RESOLUTIONS.

The Hon. the Acting Chief Secretary to the Government:—

I rise, Sir, to move the following resolution:

“ Be it resolved: That this Council approves the continuance
 “ during 1931-32 of the grant of £1,200 per annum to
 “ the general funds of the Imperial College of Tropical
 “ Agriculture in Trinidad, the original grant of which
 “ for five years, commencing with the financial year
 “ 1926-27, was approved by this Council on the 16th of
 “ February, 1926.”

The period of five years, Sir, for which this grant was originally made expires at the end of this financial year, that is to say in March, and Honourable Members will observe from the Estimates which were submitted to them in Select Committee that no provision was made for the coming year. Your Excellency has, however, received from the Secretary of State a request that Nigeria should continue for one further year, without prejudice to any further commitments, a contribution of £1,200 to the Imperial College of Agriculture, Trinidad. The same arguments which persuaded the Council to make the contribution five years ago apply today as strongly as ever and I trust Honourable Members will see their way to support this resolution of the Government.

The Hon. the Director of Agriculture:—

I beg to second the motion.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

Sir, I think it has been sufficiently established since this Council was started that Unofficial Members have the greatest concern for the development of agriculture in Nigeria and are desirous to be helpful in every way towards the Agricultural Department.

We were informed, Sir, in Select Committee that the number of contributions from institutions outside Nigeria which are made by this Government at the invitation of the Secretary of State, have so much increased as to become a matter of concern to the Nigerian Government, and in the Estimates for this coming year, in order to point out how enormously this snow-ball is growing, the Government have grouped together all these contributions. We were given to understand that representations had been made by this Government to the Secretary of State that the whole matter of contributions of this kind by Colonial Governments ought to be reconsidered, and we were informed that the whole matter is under consideration by the Secretary of State at the present moment. It seems to some of the Unofficial Members that that being so, this resolution might be postponed until we hear the result of the consideration of the general question by the Secretary of State. Accordingly, so far as I am concerned, purely as a matter of principle and in order to accentuate the need for some reconsideration of this system of foisting liabilities on the Nigerian Government by the Secretary of State, I desire to vote against the resolution before the Council.

The Hon. the Banking Member (Mr. L. M. Herapath):—

Your Excellency, I rise to second the amendment, if I may call it such, by the Honourable the Commercial Member for Calabar, on precisely the same grounds as he has already put forward. Without minimising the benefits that we may receive, I would like to mention that we are already paying contributions to institutions outside Nigeria at the rate of £12,364 *per annum*. I would like to make it perfectly plain that from the point of view of Unofficial Members we have no quarrel with the principle of this contribution, but we do not, as Mr. Graham Paul has said that pending the decision of the Secretary of State this particular resolution should not be proceeded with.

The Hon. the Member for the Colony Division (Sir Kitoyi Ajasa, Kt., O.B.E.):—

On this subject, Sir, I am in agreement with the amendment as recorded by the Honourable the Commercial Member for Calabar.

His Excellency:—

The position as I understand it is that the matter is a matter of considerable urgency to the Imperial College, and I would suggest that it would be adequate if Honourable Members agreed to the provision and I will see that their protest is forwarded to the Secretary of State.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

With my hon. member's consent, in view of Your Excellency's undertaking that our protest will reach the proper quarter, I withdraw my opposition.

His Excellency:—

I will see, gentlemen, that your protest is forwarded to the Secretary of State.

The motion was carried

The Hon. the Acting Chief Secretary to the Government:—

Sir, I rise to move the following resolution:—

“Be it resolved: That this Council approves the expenditure of £110,763 and £74,403 as detailed in the Supplementary Estimates for the second and third quarters respectively of the financial year 1930-31, which were

"laid on the table at the meeting of the Council held
"on the 28th of January, 1931, and passed by the
"Finance Committee on the 31st of January, 1931."

The Hon. the Treasurer:—

I beg to second the motion.

The motion was carried unanimously.

BILLS.

The Hon. the Attorney-General:—

Your Excellency, I move that a Bill entitled "An Ordinance to amend the Lunacy Ordinance" be now read a second time.

Honourable Members will see from the statement at the end of this Bill that under the Lunacy Ordinance the Supreme Court or the Court of the Resident of a Province may order that the property of a lunatic shall be applied to his maintenance. The object of this Bill is to amend the Lunacy Ordinance so as to enable either of the Courts I have mentioned also to order that the lunatic's property shall be applied to the maintenance of his wife and children.

The Hon. the Senior Resident, Herin Province:—

I beg to second the motion.

Bill read a second time.

The Hon. the Attorney-General:—

Sir, I move that the Council go into Committee to consider the Bill clause by clause.

Council in Committee.

Clause 2.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

Sir, I beg to move the following amendment: That clause 2, section (1) of the amending Bill be altered so as to read:

(1) Section 20 of the Lunacy Ordinance is hereby amended by the deletion of the words "and, in the case of a lunatic who is not a native of Nigeria, the expenses of his removal" and by the substitution therefor of the words "any wife, child or children of the lunatic, and, in the case of a lunatic who is not a native of Nigeria, the expenses of the removal of the lunatic, and any wife, child or children of the lunatic".

The object of that, Sir, is to provide that there shall be the same provision available for the wife and children of a lunatic that the Government decides, or any Order of the Court has decided, should be removed from Nigeria to his own country. I think it is desirable that in the case of a lunatic who is not a native of Nigeria there ought to be similar provision for the removal of his wife and children.

The Hon. the Attorney-General:—

The Honourable Member was good enough to inform me that he would move this amendment and Government is prepared to accept it.

The amendment was carried.

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

THE TOWNSHIPS (AMENDMENT) ORDINANCE, 1931.

The Hon. the Attorney-General:—

Your Excellency, I move that a Bill entitled "An Ordinance to amend the Townships Ordinance" be now read a second time.

In section 15 of the Townships Ordinance there are provisions for the granting of pensions and gratuities to officers of first class townships, and as Honourable Members are aware, the only first

class township is the township of Lagos. In a later section of the Townships Ordinance, section 35, there is a provision to the effect that pensions and gratuities may be granted to officers of a second class township in the same manner and subject to the conditions prescribed in the case of officers of a first class township by section 16, that is to say by the earlier section to which I have referred. At the last meeting of this Council that earlier section—section 16—was amended, and as amended the section provides that the grant of pensions and gratuities to officers of a first class township shall be governed by each of the provisions of the law relating to the grant of pensions and gratuities to Government officers of the Town Council, viz., with the approval of the Governor in Council, direct.

Since that amending Ordinance was passed it has been observed that it is no longer appropriate that the later section—section 35—should provide that pensions and gratuities may be granted to officers of a second class township in the same manner and subject to the conditions prescribed in the case of officers of a first class township by section 16, because section 16 as now amended does not prescribe conditions. It permits the Town Council, subject to the approval of the Governor in Council to select those provisions of the Pensions Ordinances which it considers should apply to its officers. This Bill therefore deletes those parts of section 35 which relate to pensions and gratuities and inserts immediately after it a new section containing a provision similar to that which the Council inserted in section 16 at the last meeting. But it will be seen that this new section and section 16 are quite independent the one of the other. I move that the Bill be read a second time.

The Hon. the Senior Resident, Oyo Province:—

I beg to second the motion.

Bill read a second time.

The Hon. the Attorney-General:—

Sir, I move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

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

THE CRIMINAL CODE (AMENDMENT) ORDINANCE, 1931.

The Hon. the Attorney-General:—

Your Excellency, I move that a Bill entitled "An Ordinance to amend the Criminal Code Ordinance" be read a second time. At the last meeting the Council passed an Ordinance amending section 430 of the Criminal Code. That section provides that where a person is charged with having in his possession anything which may reasonably be suspected of having been stolen or unlawfully obtained and does not give a satisfactory explanation as to how the property came into his possession, he is guilty of an offence and is liable to imprisonment for a period not exceeding three months. The Ordinance passed at the last meeting of the Council provides that where a person is convicted of this offence, and has previously been convicted of an offence under the section or of certain other offences which are specified, he may be sentenced to imprisonment for a period not exceeding twelve months.

The Secretary of State has represented to Government the desirability of adding a further provision to the section to the effect that no previous conviction is to be put in evidence until the accused person has pleaded guilty to, or has been convicted of, the offence under the section, and this Bill is introduced in compliance with the Secretary of State's request.

The Hon. the Senior Resident, Zaria Province:—

I beg to second the motion.

Bill read a second time.

The Hon. the Attorney-General:—

Sir, I beg to move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

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

THE WILD ANIMALS PRESERVATION (AMENDMENT) ORDINANCE, 1931.

The Hon. the Attorney-General:—

Your Excellency, I beg to move that a Bill entitled "An Ordinance to amend the Wild Animals Preservation Ordinance" be now read a second time. This Bill empowers the Governor in Council to make a regulation requiring the holder of a special licence granted under the Wild Animals Preservation Ordinance, before shooting in any province, to get his licence endorsed by the Resident. A special licence is a licence which authorises the holder to shoot elephant, or other important kinds of wild game. It is therefore desirable that the Resident of a Province should know when the holder of such a licence is about to hunt in his province, and he will gain that knowledge if the holder is required to bring his licence to him for endorsement. The Resident will then be able to take any steps he may consider necessary in order to see that the holder of the licence hunts in conformity with the law.

The Hon. the Secretary, Northern Provinces:—

I beg to second the motion.

Bill read a second time.

The Hon. the Attorney-General:—

I beg to move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

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

THE RAILWAYS (AMENDMENT) ORDINANCE, 1931.

The Hon. the Attorney-General:—

Your Excellency, I move that a Bill entitled "An Ordinance to amend the Railways Ordinance" be now read a second time. This Bill amends section 34 of the Railways Ordinance which disentitles a person from recovering from the Railway either an overcharge in respect of goods carried by the Railway or compensation for the loss of or damage done to goods delivered to the Railway for carriage unless he makes a claim within three months. As is pointed out in the statement at the end of the Bill, it sometimes happens that an overcharge is only discovered by the firm's head office in England, and in such cases a period of three months may well be too short a time within which to make a claim. The object of this Bill is to increase the period within which a claim for an overcharge or compensation may be made from three months to six months.

The Hon. the General Manager of the Railway:—

I beg to second the motion.

Bill read a second time.

The Hon. the Attorney-General:—

Sir, I beg to move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

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

THE SHIPPING AND NAVIGATION (AMENDMENT) ORDINANCE, 1931.*

The Hon. the Attorney-General:—

Your Excellency, I move that a Bill entitled "An Ordinance to amend the Shipping and Navigation Ordinance" be now read a second time. There are provisions in the Shipping and Navigation Ordinance which authorises the detention of a ship which is in a Nigerian port if that ship is unfit to proceed to sea and is either a British ship, or a foreign ship which was bound for a Nigerian port, or a foreign ship which comes into a Nigerian port for the purpose of embarking or landing passengers, or taking in or discharging cargo, or taking in bunker coal. The object of this Bill is to provide for the detention of a foreign ship which is unfit to proceed to sea and comes into a Nigerian port for the purpose of taking on oil fuel or any material for the purpose of refuelling, or taking in water or stores. The Secretary of State has informed this Government that it is proposed to ask Parliament to make this amendment in the corresponding section of the Merchant Shipping Act, 1894, and Government considers that the same amendment should be made in the Shipping and Navigation Ordinance.

The Hon. the Director of Marine:—

I beg to second the motion.

Bill read a second time.

The Hon. the Attorney-General:—

I beg to move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

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

EDUCATION (COLONY AND SOUTHERN PROVINCES) (AMENDMENT) ORDINANCE, 1931.

The Hon. the Director of Education:—

Your Excellency, I move that a Bill entitled "An Ordinance to amend the Education (Colony and Southern Provinces) Ordinance" be read a second time. The purpose of this Bill, Sir, is to introduce certain modifications into the 1926 Ordinance which the experiences of the last four years have found to be necessary, and to facilitate generally the working of the educational system. It is, I believe, non-controversial. It has been discussed and agreed to at a meeting of the Board of Education and by various other bodies, representatives of schools and teachers. The most important section, possibly, is clause 3 dealing with the constitution of the Board of Education. Provision is made for much wider representation of missionary societies and also for the inclusion of a number of other members, which number may include representatives of other interests in the community whom the Governor may from time to time see fit to appoint.

There is also provision for some of the duties of the Board to be undertaken by committees appointed for this purpose by the Board. Sections specifying the duties of the Board of Education and of School Committees are inserted in this amending Bill to the main Ordinance which are taken from the Regulations under this Ordinance. In addition there are sections which provide for some simplification in the returns which are required from schools throughout the country.

It has been suggested that it would be better in view of the considerable modifications to introduce a new Bill. On the other hand, the main principles of the 1926 Ordinance are maintained, and any departure therefrom can be more easily examined by

Honourable Members in an amending Bill that in a new Ordinance. When the Bill is passed, the Ordinance in its amended form will be printed for the use of school proprietors and managers, and it will appear in this form in the next volume of the Supplementary Laws of Nigeria.

The Hon. the Administrator of the Colony:—

I beg to second the motion.

Bill read a second time.

The Hon. the Director of Education:—

Your Excellency, I move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

Clause 2.

The Hon. the Attorney-General:—

I beg to move that for the word "board" in the second line there be substituted the words "the board". The words "the board" are the first words of the section which this clause amends.

The amendment was adopted.

Clause 3.

The Hon. the Member for Calabar (Mr. C. W. Clinton):—

I move as an amendment the deletion of the fifth and sixth lines of section 4 (1). "The Deputy Director of Education" and "The Assistant Director of Education".

My reasons for doing so are that it appears to me that these two posts are an unnecessary increase and add to the expenses of education in this country. It will be noticed that in the 1916 Ordinance there was only one Director of Education. In the 1926 Ordinance there are two, the Director of Education, and the Deputy Director, one acting for the Northern Provinces, and the other for the Southern Provinces. Now under this Ordinance instead of one Director we have four Directors, that is to say, the Director, the Deputy Director, and two Assistant Directors. That increases the expenses of the Colony from £1,600 in 1916 to nearly £6,300 under the present Bill. I may say that I have been through this Ordinance, and do not see that the work and service rendered by the Director alone was any more than that now to be rendered by these four Directors. It appears to me most unnecessary that four Directors should now be required to do the work of, formerly, one Director, and in 1926, two Directors. It is simply a piling on of expenditure in the way of emoluments, a thing which we have always been fighting against. I submit that however necessary it may be to alter the provisions of the Education Ordinance, I do not think this provision is at all necessary, especially during these times when trade is so bad and money so hard to get. I therefore submit that these two lines should be deleted and the Directors appointed under the 1926 Ordinance be allowed to remain under this amending Ordinance.

The Hon. the Director of Education:—

Your Excellency, I should like to point out to the Honourable Member that his remarks would more properly come under the Supply Bill. The appointments referred to are not made under this Ordinance. This Ordinance merely specifies the duties of certain officers who have already been appointed to attend a certain Board of Education, and therefore his remarks have really not very much to do with this particular section. If these officers whom he mentions have positions in the Government, it is very necessary that they should be members of the Board of Education. The Deputy Director has to act for the Director, and the Assistant Director of the Southern Provinces has more intimate touch with the details of the work of the Southern Provinces.

The amendment was withdrawn.

Clause 5.

The Hon. the Attorney-General:—

I think that Honorable Members will agree that the words "to report to the Governor on such matters of importance affecting education as it may from time to time consider desirable" are not altogether satisfactory. I move therefore that they be deleted and that the following words be substituted: "to make any reports to the Governor which it may consider necessary on matters of importance affecting education".

The Hon. the Director of Education:—

I beg to second the motion.

The amendment was carried.

Clause 6.

The Hon. the Attorney-General:—

In the last line but one of this section a "the" has been dropped, after the word "where". I beg to move that it be inserted. The line will then read: "registered teacher in cases where the approval of".

The Hon. the Director of Education:—

I beg to second the motion.

The amendment was carried.

Clause 7.

The Hon. the Attorney-General:—

I move the deletion at the end of paragraph (6) of the word "by", and the substitution of the word "of". The last two lines will then read: "to the secretary for the consideration of the committee at the meeting."

The Hon. the Director of Education:—

I beg to second the motion.

The amendment was carried.

The Hon. the Member for Calabar (Mr. C. W. Clinton):—

I should like to know, Sir, if following the deletion of sub-section (3) a new sub-section is to be substituted?

The Hon. the Attorney-General:—

The Honourable Member has not before him the principal Ordinance, but in the principal Ordinance, as it seems to me, the sub-sections are arranged wrongly. You have sub-sections (1) and (2) which deal with the appointment of school committees, and then you have sub-section (3) which goes on to indicate what the duties of school committees are, and sub-section (4) then goes back to the original subject of the constitution of the committees. The order is wrong and therefore this Bill deletes this sub-section (3) and inserts the provisions at a later stage. The substance of sub-section (3) appears in Clause 8 of the Bill. There you will see a new section (A) is introduced into the principal Ordinance and that this section defines the duties of the school committees.

The Hon. the Member for Calabar (Mr. C. W. Clinton):—

What I mean is if sub-section (3) is deleted will the following sections be re-numbered?

The Hon. the Attorney-General:—

It is better not to re-number, and for this reason. In some other Ordinances there may be references to some of these sub-sections, and if you re-number now, the references to these sub-sections in the other Ordinances may become entirely wrong. In such cases as these re-numbering is done when the Laws are revised.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

I do not follow that explanation, Sir. If a sub-section has been deleted and put in another place it must have another number automatically. As I read the amending Bill there is a deletion of sub-section (3) and a substitution therefor, so if there is in other Ordinances a reference to sub-section (3) it must refer to sub-section (3) as it stands in the principal Ordinance.

The Hon. the Attorney-General:—

The Honourable Member says that sub-section (3) is deleted. With that statement I agree. He then said that another sub-section is substituted for this sub-section. But I think that he will see that sub-section (3) is simply deleted and that no new sub-section is inserted in its place.

Clause 10.

The Hon. the Attorney-General:—

I have a small amendment to move to this clause, Sir. If Honourable Members will look at the new clause they will see that sub-clause (1) (c) reads "Numbers, qualifications, and nationality of staff." A "the" has been dropped before "staff", and if Honourable Members will look further down they will see in sub-clause (2) (b) these words: "The number, qualifications and nationality of the staff." I therefore move that item (c) should be amended so as to read as follows: "The number, qualifications and nationality of the staff."

The Hon. the Director of Education:—

I beg to second the motion.

The amendment was carried.

The Hon. the Attorney-General:—

The enactment clause is not quite correct, Sir, because the Bill refers exclusively to the Colony and Southern Provinces. I move that the enactment clause be amended so as to read: "Be it enacted by the Governor of Nigeria, with the advice and consent of the Legislative Council, as follows:—"

The Hon. the Director of Education:—

I beg to second the motion.

The amendment was carried.

The Bill having passed through Committee with six amendments the Council resumed, and on the motion of the Honourable the Director of Education, seconded by the Honourable the Administrator, the Bill was read a third time and passed.

THE 1929-30 SUPPLEMENTARY SUPPLY ORDINANCE, 1931.

The Hon. the Acting Chief Secretary to the Government:—

I move, Sir, that a Bill entitled "An Ordinance to make supplementary provision for the Service of the Colony and Protectorate of Nigeria for the year ending 31st day of March, 1930" be read a third time and passed. The first and second readings of this Bill were taken on the 28th of January.

The Hon. the Treasurer:—

I beg to second the motion.

Bill read a third time and passed.

THE 1931-32 SUPPLY ORDINANCE, 1931.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I beg to present to the Council the report of the Select Committee on the Supply Bill.

1931-32 SUPPLY ORDINANCE.

REPORT OF THE SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL
APPOINTED TO CONSIDER THE PROVISIONS OF THE 1931-32
SUPPLY ORDINANCE, 1931.

YOUR EXCELLENCY,

The Committee met on the 29th, 30th and 31st January, 1931.

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

2. The financial effect of these recommendations is to increase the expenditure for the year 1931-32 by £3,847 and to decrease it by £67,607.

3. The net increase is therefore £63,760.

4. In clause 1 of the Bill the words "eight million, nine hundred and fifty thousand, five hundred and ninety-three pounds" should be deleted and the words "eight million, nine hundred and sixteen thousand, eight hundred and thirty-three pounds" substituted.

5. In clause 2 of the Bill the words "six million, four hundred and ten thousand, four hundred and twenty-four pounds," should be deleted and the words "six million, three hundred and forty-eight thousand, four hundred and sixty-four pounds" substituted.

6. In clause 3 of the Bill the words "two million, five hundred and seventy thousand, one hundred and sixty-nine pounds" should be deleted and the words "two million, five hundred and sixty-eight thousand, one hundred and sixty-nine pounds" substituted.

A. C. BURNS,

Chairman of Committee.

Lagos,

31st January 1931.

First Schedule.

Head 3.	Agriculture.—For "£113,187" read "£141,498."
Head 8.	Customs.—For "£91,316" read "£91,916."
Head 9.	Education.—For "£306,207" read "£302,847."
Head 10.	Forests.—For "£83,082" read "£82,982."
Head 13.	Land.—For "£37,083" read "£33,808."
Head 17.	Maritime.—For "£419,185" read "£409,857."
Head 18.	Medical Services.—For "£373,377" read "£366,217."
Head 19.	Medical Laboratory Service.—For "£26,367" read "£27,117."
Head 20.	Medical Health Service.—For "£124,916" read "£123,784."
Head 21.	Mines.—For "£12,231" read "£12,264."
Head 22.	Miscellaneous.—For "£158,820" read "£146,441."
Head 26.	Postal Telegraphs.—For "£284,273" read "£283,968."
Head 27.	Printing.—For "£33,511" read "£32,521."
Head 32.	Provincial Administration, S.P.—For "£236,369" read "£235,929."
Head 33.	Public Works.—For "£271,737" read "£271,784."
Head 34.	Public Works Recurrent.—For "£395,556" read "£394,056."
Head 35.	Public Works Extraordinary.—For "£282,165" read "£282,115."
Head 37.	Railway Capital Works.—For "£32,097" read "£27,013."
Head 38.	R.W. R.F., Nigeria Regiment.—For "£363,655" read "£363,037."
Head 43.	Supreme Court.—For "£29,107" read "£28,987."
Head 44.	Surveys.—For "£108,669" read "£97,072."

and the total expenditure will therefore be £6,348,664.

Second Schedule.

Railway Total Expenditure.—For "£2,570,169," read "£2,568,169."

I move that Council go into Committee to consider the Bill clause by clause.

Council in Committee.

The Hon. the Acting Chief Secretary to the Government:—

Before Committee proceeds, Sir, I should like to say there are two points on which the Government cannot accept the report of the Select Committee. One of them is in connection with the provision of funds for the census, and the other for the provision of funds for an Assistant Architect. As regards the latter the funds must be provided as the post has been filled.

I beg to move in the first place that provision under Head 22 in Schedule A should be amended so as to provide an additional sum of £7,500 for the census of 1931. A sum of £1,729 appeared in the Draft Estimates under Item 70 of Head 22, and was deleted in Select Committee. The Government feels, Sir, that they cannot at this stage agree to the stopping of the work of the census on which a considerable sum of money has already been spent, and it would not be to the credit of Nigeria that the census work should stop, especially as a census is being taken this year throughout the whole of the Empire. I move, therefore, that a sum of £7,500 be added to the provision under Head 22, item 70.

The Hon. the Treasurer:—

I beg to second the motion.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

I beg, Sir, to oppose the alteration in the recommendation of the Select Committee. This matter of the census was discussed in the Committee after considerable time had already been spent in realising the financial situation of the Government, and the opinion of the Unofficial Members was that, having regard to the items which it had been found necessary to cut out of the Estimates, this item was one which obviously ought to be cut out. The census of Nigeria (I say this subject to correction) is and always has been a failure. If Nigeria had had a regular and accurate census every ten years for a long time past then there might have been something to be said for keeping up the continuity of the census, but in point of fact everyone knows that the census of ten years ago was hopelessly inaccurate and useless for any practical purpose, and one is very suspicious that the present census which is to be provided for by this resolution will be no more useful and no more accurate, and at a time like this when the financial stringency is so pronounced I certainly feel that I would not be doing my duty if I did not oppose an expenditure which in comparison with the large number of items which have been cut out not only in Committee, but also by Your Excellency and Your Excellency's advisers before they came to Committee, and having regard to the importance of the items which have been cut out, I have no hesitation in saying this is one on which we ought not to spend money.

The Hon. the Banking Member (Mr. L. M. Herwith):—

Your Excellency, I rise to support the Honourable Commercial Member for Calabar in his contention that this item at this particular stage should not be pressed on the country. The Honourable the Acting Chief Secretary said in the course of his short remarks that it would affect the credit of Nigeria if we did not proceed with the work which has already been started. Now, Sir, it seems to me that the credit of Nigeria will be much more certainly affected if she does not utilise the whole of her powers at the present time to effect genuine reductions, than it would be in not obtaining what I think the Government themselves will admit are extremely inaccurate census figures. I do not think that in Select Committee one single argument in favour of the retention of this item was advanced by Your Excellency's advisers. The position if this census vote is passed, even though it has been slightly cut down from the figure originally in the Estimates, is simply this, that Government will be saying "we recognise the need for economy, but we are not prepared to economise in any way like this." In other words, at the expense of the Colony, you are going to obtain these figures which will, at any rate from the point of view of the average commercial man, be entirely useless. Under the circumstances, Sir, I feel myself, and I think I am speaking on behalf of most of the Unofficial Members, that our only hope in this instance is to have a solid unofficial vote against the inclusion of this item.

The Hon. the Director of the Medical and Sanitary Service:—

Your Excellency, in connection with the census, it must of course be realised that a census does affect to a certain extent the Medical Department of Nigeria. The medical census which has been taken will lead to useful information I think, but we must know as far as possible the actual census figures in conjunction with the medical statistics in order that we can apply such information. In connection with vital statistics, the census, even if not completely accurate, is, from a medical point of view valuable, and from my own point of view I should be sorry not to have these figures. We have to compile returns so far as we can get them every year, and even taking into account the comparative inaccuracy of the census, it is important to get as much information as we can of the movement of the population in this ten year period.

The Hon. the Banking Member (Mr. L. M. Herapath):

I do not know if I may be allowed to speak again, Sir?

His Excellency:—

You may speak in explanation if you wish.

The Hon. the Banking Member (Mr. L. M. Herapath):—

I wish to point out, Sir, that in Committee it was impressed upon us that the census was to take place in half a dozen places at the most. The result therefore of that census can only be an approximation and a very inaccurate approximation I think, and I therefore do not feel satisfied myself although I know nothing about medical work that the figures to be obtained by the Director of Medical and Sanitary Service will be any more valuable to him than the figures which could be obtained already.

The Hon. the Member for the Ibo Division (Archdeacon G. T. Basden):—

I should like to rise, Sir, not so much on the money issue, but rather on the grounds of expediency, and to suggest that if the census is to be carried out, the figures for the Eastern Provinces should be worked out from the Administrative Officers' figures, as for instance their assessment figures, and an estimate obtained from those. If these census officers go into different towns and villages this year to count the people, they are going to be gravely misunderstood, and the results might be disastrous. The people are still in a restless condition with regard to countings, and I think it would be wise for Government, at any rate so far as the Eastern Provinces are concerned, to get what figures they can without actually sending census clerks round to count the people.

His Honour the Lieutenant-Governor, Southern Provinces:—

Your Excellency, so far as the Eastern Provinces are concerned, there is no intention of sending census clerks round or even District Officers round at present. Figures will have to be taken from the figures available in the District office.

The Hon. the Mining Member (Provisional) (Mr. J. G. Foley):—

I have not risen with the idea of making a speech, Sir, but I feel I should get up and express astonishment that Government should spend this money on collecting what apparently appear to be misleading figures. How can Nigeria keep pace with the rest of the Empire by spending money on the collection of misleading figures? It seems to me impossible that I could have sat here for so long listening to these allegations as to misleading figures and have heard no reply from Government. Presumably they wish to go on spending money in this misleading way?

The Hon. the Acting Chief Secretary to the Government:—

I regret that the Government is unable to accept the proposal of the Honourable Unofficial Members that this item should be withdrawn. A good many of the figures that are necessary have already been obtained, and the expenditure that is necessary is for tabulation and working out calculations in order that good use

may be made of the figures. As regards the South Eastern Provinces, as the Lieutenant-Governor has already stated, the Government does not propose that there should be a close census. A close census has been taken in certain definite districts and those figures, with the medical census which has been taken, will be of value, and will be accurate. The other figures will be sufficiently accurate to be of real value to the Government for statistical purposes, and for comparative purposes with those of the British Empire and the rest of the world. It would not be creditable for Nigeria, one of the larger colonies, to fail where other and smaller colonies have succeeded.

His Excellency:—

Will those in favour of the amendment that £7,500 be added in order to proceed with the census say "Aye", those against "No".

Honourable Members voted as follows:—

FOR—22.

The Hon. Mr. G. B. Hebden.
The Hon. Lt.-Col. R. H. Rowe.
The Hon. the Director of Agriculture.
The Hon. the Director of Public Works.
The Hon. the General Manager of the Railway.
The Hon. the Acting Deputy Chief Secretary.
The Hon. the Resident, Onitsha Province.
The Hon. the Senior Resident, Iorin Province.
The Hon. the Senior Resident, Calabar Province.
The Hon. the Secretary, Northern Provinces.
The Hon. the Senior Resident Zaria Province.
The Hon. the Senior Resident, Oyo Province.
The Hon. the Director of Marine.
The Hon. the Administrator of the Colony.
The Hon. Mr. E. R. J. Hussey.
The Hon. the Comptroller of Customs.
The Hon. the Director of Medical and Sanitary Service.
The Hon. the Treasurer.
The Hon. the Attorney-General.
His Honour the Lieutenant-Governor, Southern Provinces.
His Honour the Lieutenant-Governor, Northern Provinces.
The Hon. the Acting Chief Secretary to the Government.

AGAINST—15.

The Hon. the Commercial Member for Port Harcourt (Provisional).
The Hon. the Acting Member (Provisional).
The Hon. the Commercial Member for Kano (Provisional).
The Hon. the Member for Shipping (Provisional).
The Hon. the Member for the Ibo Division.
The Hon. the Banking Member.
The Hon. the Third Lagos Member.
The Hon. the Member for Calabar.
The Hon. the Member for the Warri-Port Harcourt Division.
The Hon. the Commercial Member for Lagos.
The Hon. the Member for the Rivers Division.
The Hon. the Member for the Egba Division.
The Hon. the Commercial Member for Calabar.
The Hon. the Member for the Colony Division.
The Hon. the First Lagos Member.

His Excellency:—

The amendment is carried.

The Hon. the Acting Chief Secretary to the Government:—

Your Excellency I beg to move that the provision under Head 33, Schedule A, should be increased to provide a sum of £753 and £72 Seniority Pay for an Assistant Architect, under items 19-20. Owing to the fact that a vacancy had occurred amongst the Architects in the Public Works Department, it was hoped that some retrenchment could be made by not filling the post at the present time. Unfortunately before the Secretary of State could be advised, the appointment to fill the vacancy had been made. It is therefore necessary to find the funds for the officer concerned. The establishment of course will be reduced as soon as opportunity occurs.

The Hon. the Treasurer:—

I beg to second the motion.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

Sir, in view of the fact that the appointment has been made by the Secretary of State on behalf of the Nigerian Government, it would be stultifying ourselves if Unofficial Members opposed the

insertion of the amount which is necessary to meet the legal obligations of the Government. At the same time I should like to say that having regard to the stringency and to the present financial situation, I think there might be some communication to the Secretary of State to abstain from filling vacancies until Unofficial Members of this Council, on whom we have often been told the financial responsibility of Nigeria rests, have had an opportunity of considering to what extent vacancies ought to be filled in the Public Service.

The Hon. the Acting Chief Secretary to the Government:—

That will be done, Sir.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

In that case Your Excellency, I have no further objection to the motion.

The amendment was carried.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I move that the First Schedule be amended as recorded in detail in the Report of the Select Committee, and as further amended by the two amendments recently passed: The total of the Schedule will then read £6,358,189.

The amendment was carried.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I beg to move that the Second Schedule be amended to read £2,568,169.

The amendment was carried.

Clause 1.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I beg to move that for the words "eight million, nine hundred and eighty thousand, five hundred and ninety-three pounds" in this clause, the words "eight million, nine hundred and twenty thousand, three hundred and fifty-eight pounds" be substituted.

The amendment was carried.

Clause 2.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I beg to move that the words "six million, four hundred and ten thousand, four hundred and twenty-four pounds" be deleted and the words "six million, three hundred and fifty-eight thousand, one hundred and eighty-nine pounds" be substituted.

The amendment was carried.

Clause 3.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I beg to move that the words "two million, five hundred and seventy thousand, one hundred and sixty-nine pounds" be deleted and the words "two million, five hundred and sixty-eight thousand, one hundred and sixty-nine pounds" be substituted.

The amendment was carried.

His Excellency:—

I put the question that I report the Bill as amended to the Council.

Council resolved.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I move that the Bill now be read a third time and passed.

The Hon. the Treasurer:—

I beg to second the motion.

The Hon. the Banking Member (Mr. L. M. Herapath):—

I beg to move, Sir, as an amendment that the Bill be read this day three months. In doing this I wish to make it perfectly plain that I am merely to get an opportunity of saying something about the Bill. Apparently under the terms of the Standing Orders we are not allowed to debate the Bill on the third reading and I may at once say that what I have to talk about in connection with this Bill has nothing whatever to do with the amendment I have just proposed.

Now, Sir, we Unofficial Members appreciate to the full the announcement made by Your Excellency at the opening of this meeting this morning, and we feel that in making that announcement Government has gone as far as it could at the present stage in committing itself to a proper examination of this Colony's finances. I must say, however, that in the absence of a very definite undertaking by Government that further economies will be made, an undertaking which I realise it would have been impossible for Your Excellency to give us, yet for the benefit of the general public as well as for the benefit of those Official Members who were not present at the meeting of the Select Committee, I desire to place on record our views in this respect and say at once that we are not satisfied with the amount which we have succeeded in extracting out of the stony heart of Government. In order that what I have to say will be thoroughly understood, Sir, and the unofficial attitude, as far as it can be, thoroughly explained, I would like to refer to the views of one or two financial magnates whose opinions are respected not only throughout the British Empire, but throughout the whole financial world, and if I may be allowed to do so, I would like to read short extracts from recent speeches which may be of interest to Honourable Members. The first is an extract from a speech made by Sir Felix Schuster whose name, I think, is familiar to all of us here, delivered to the Lincoln Chamber of Commerce in October last. Sir Felix, after expressing his appreciation of the invitation which had been extended to him said:

"I wish I had a more pleasant tale to tell about the general outlook, but I feel that the present time is one in which we cannot indulge in vague generalities and must look facts in the face. I am bound to state that during an active business life extending over fifty-eight years I have never experienced general conditions all the world over presenting so grave and serious an aspect."

In this connection I should like to remind Honourable Members that those remarks cover the whole period following a similar period of depression after the Franco-Prussian War up to today. Sir Felix continued:

"Others share this view, and it behoves us, men of business, to stand together, to consult as to the best policy to pursue, and to make our influence felt."

We were told last week on high authority that there is a prevalence of defeatism about, that things were equally bad a hundred years ago, that other people are as badly off as we are; in fact, that we are to keep on smiling and all will be well—perhaps even there may possibly be no further increase in that taxation which is already crushing the life blood out of our industries.

Is that the spirit to overcome difficulties, to solve the problems on which the future of the country and of the Empire depends? This is no ordinary crisis.

To underrate the forces that are arrayed against us, to minimise the dangers is to invite defeat. The real courage is to estimate them at their true value."

Now, Sir, those are the opening remarks of a man who knows what he is talking about and who has had unrivalled opportunities for getting information regarding the actual financial condition of the world today. He is supported and encouraged by a political rival, Mr. Holland-Martin who is this year's President of the Institute of British Bankers, and this is what he says:

"Now having dealt with our domestic matters, I turn to the larger field of British commerce, on which the welfare of banking and the prosperity of our nation depends."

The general outlook there is not good—it is very bad: indeed, there has, I suppose, never been a time (and our old and experienced friend Sir Felix Schuster emphasised this in his speech at Lincoln the other day) when the general conditions all over the world looked more grave and drastic measures appeared more necessary both on the part of the State, of the merchant and of the individual.

What is there wrong with the world? Why is it that wherever we look we find trade bad, and merchants, manufacturers and agriculturists depressed?

Primarily, I think, we would all say that the one outstanding cause is the Great War, the disastrous effects of which are still felt by every nation, whether combatant or not.

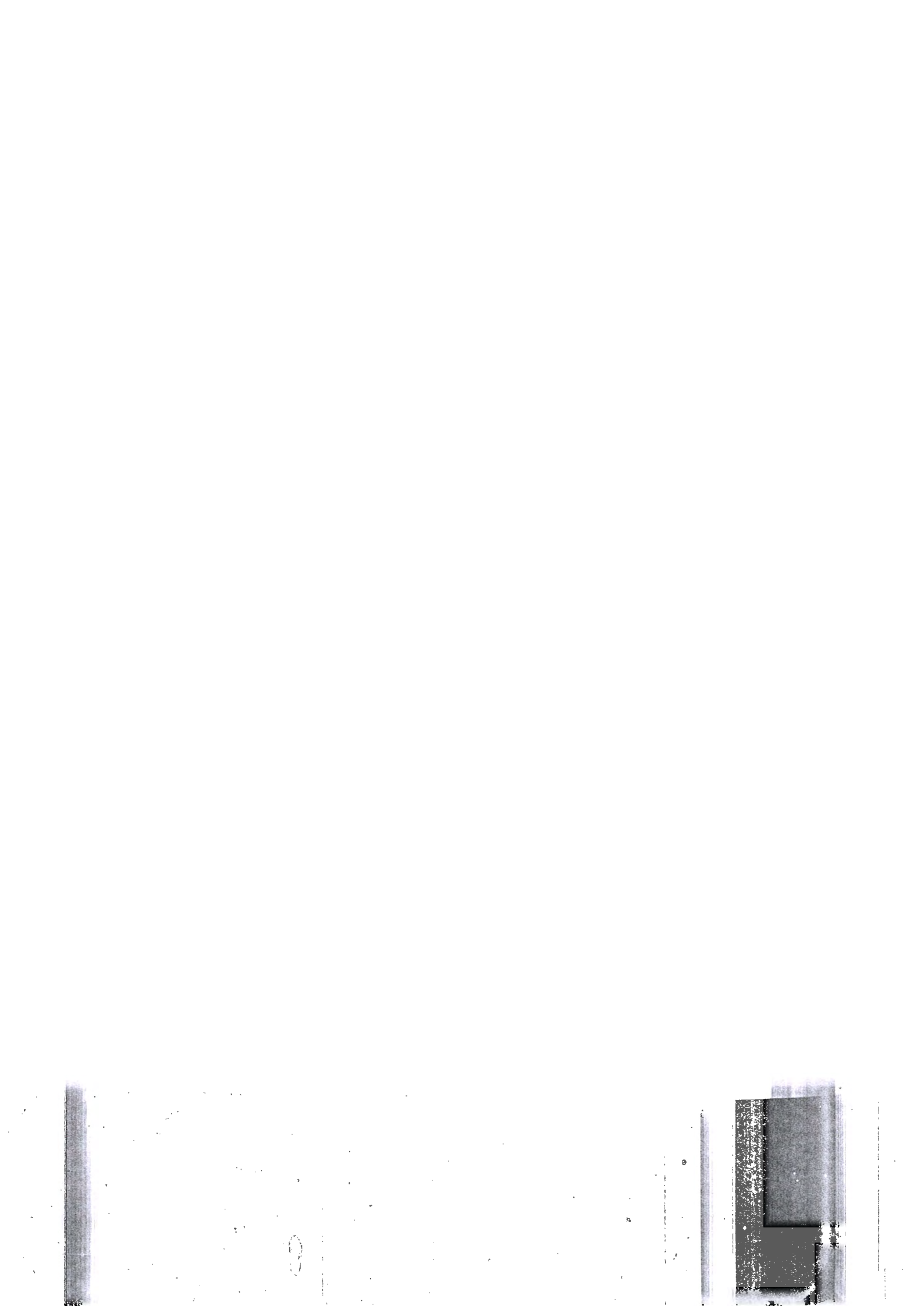
But the roots of the disease go far deeper. For years past there has been a growing tendency amongst those employed in business or manufacture to attempt to take as much as possible and to give as little as possible—to look on work as only an unavoidable evil necessary for man's maintenance—not as a part of the good life, a condition to be actively enjoyed, and not merely endured. We have allowed comfort and safety to become the two main objects of life; wherefore we have raised the standards of living, not indeed, beyond what could be wished for, but beyond our present power to maintain."

Further on he makes a few more trenchant remarks which I think we must bear in mind in considering our own financial commitments. He says:

"Our hearts had run away with our heads, and with too little thought we proceeded to set up a standard of wages, pensions and unemployment pay totally above our real means. We ignored the fact that it is impossible to get more out of a vessel than is put into it; acted as if whatever money Parliament or municipalities might vote, for however good a purpose, came from some hidden reservoir of wealth, instead of from the pockets of each one of us, and forgot that easy as it is to say 'the State must do this,' 'the Municipality must do that,' the responsibility and the reliability rest on ourselves."

Unofficials, Sir, have taken those words to heart. I may say I think without fear of contradiction that from the very fact that my job is what it is, I probably appreciate the financial situation rather better than most of us. We feel that Nigeria itself at the moment and on its present balance sheet is in a very wonderful financial position compared with the rest of the world. We want to remain in that financial position. We do not want to have to cut our coat according to our cloth. There is no question, as Your Excellency said this morning, of allowing development to be set back, but soon development may have to cease because we have no money to carry on. We agree with you that the development of the country must go on, but we feel that at this time there are a great many things which the Government can do without. We are trying to make this country run before it can walk. We are spending money here, there and everywhere. It will be said that these are not the commitments of the present Administration but legacies which have been handed down to us from aforesaid. I should like to point out, Sir, that there is one legacy which has been handed down to this present Government without which the present financial arrangements of the Government would be impossible, and that is the legacy of Lord Lugard when he insisted on his iron ration of three and a half million pounds. Where would we have been today if we had not had that handy little sum to fall back on?

The balance sheet of the country, Sir, is not quite so favourable in the Estimates as it might very easily be made to look. For instance if we take into consideration the Sinking Fund which has already been set aside and which is not included in the estimated surplus, and we also take into consideration the Supplementary Sinking Fund, which is not included in the present surplus, our balance sheet can be made to look very much more satisfactory than it looks at the moment. Our Sinking Fund is, however, earmarked; our Supplementary Sinking Fund, we are told, in case of dire necessity could be used. We do not wish to use it unnecessarily. We feel rightly or wrongly and we did believe it, and I think I may say we still do believe it, that a domestic



Commission to inquire into the finances of Nigeria, with particular reference to economy, would do a vast amount of good, and we are absolutely confident that these economies are possible. I do not think it needs any comment from me that the sum in the Draft Estimates which had already been reduced to an apparently irreducible minimum, has been still further reduced by more than £50,000 in Select Committee, but I will say this. On the Draft Estimates we have saved a sum of £52,000, and this will be said by some to be a tremendous amount of money, but looking at it from the point of view of the taxpayer it represents very nearly the capital sum necessary to earn a sum sufficient to provide two senior officers' salary at £1,100 a year plus their duty pay, and passages: no more, no less. In other words it is a drop in the bottom of the bucket. With regard to the appointment of this Commission we still do feel that it would do a tremendous amount of good, and we are also satisfied that Your Excellency's Government and Your Excellency feel that this would be so because you have volunteered yourself to go into the whole question of these Estimates with a view to reducing our present commitments, and though you are unable to say definitely that you will reduce them, you feel that further economies are yet possible.

Now, Sir, we have heard from the daily press that the eyes of Nigeria are on the Unofficial Members, but we have just had an instance of how perfectly hopeless it is, and how perfectly helpless Unofficial Members are, when it is a question of our coming up against the official vote. With regard to the particular item of £7,500 I do not believe for one single moment that any single member of this Council as an individual is prepared to attempt to justify the expenditure, with the possible exception of the Honourable Director of Medical and Sanitary Service, and I thought perhaps the Clerk of the Legislative Council when taking the vote might have brought a little humour into this fairly drab meeting by not calling any more names after that of the last Unofficial Member. It was obvious then what everybody else was going to say and therefore it was a waste of our time. But, Sir, the eyes of the people of Nigeria have been on the Unofficial Members and they will see what we have tried to do. We have done our best. We have succeeded in extracting some blood from a stone. We have at least one instance of the impossible having been performed, and the irreducible being reduced, and we are not satisfied that the lemon has been squeezed sufficiently dry yet. The eyes of Nigeria are now on You, Sir, and on your Government, and in your attempts still further to economise I can assure you without any fear of contradiction that you will have the whole-hearted support of all the members of the unofficial community. We appreciate the action you propose to take in setting up these small committees, but we wish to reserve to ourselves the right, at some future meeting of this Council to insist on the appointment, or at any rate to ask for the appointment of a retrenchment commission if, after all Your Excellency's efforts in this direction, we still remain dissatisfied with the result. We know that any reductions in the personnel will not immediately affect the estimates. We are not so much concerned for our estimates this year because we have the money to pay for them. We are concerned with our future commitments.

There is one point, Sir, I should like to mention. The purchasing power of the Nigerian native during the year ending 1930 has been decreased by at least 33½ per cent., and I can give you figures which I think will support that statement. During the year ending 1929 certain tonnages were exported of our four main products, cocoa, groundnuts, kernels and palm oil. Taking those tonnages on the average, naked price of groundnuts in Kano that year, and the average price of cocoa, kernels and palm oil in Lagos during that year, the amount of money received for our exports under those four heads was just below nine and a half million pounds in 1929. In 1930, in spite of increased tonnages in groundnuts and, I think, palm oil or kernels (either one or both of them) and working it out on the same basis, the amount of money received by the African for those four products was six and a half million pounds. That, Sir, is true of our four main exports, and I think the Honourable Member for Mines will bear me out that a drop of 33½ per cent. has even been exceeded in the total amount of money paid to the African in the Northern Provinces in respect of wages on the mines. The only product which can be said to have been more or less constant in value over this period is hides and skins.

If then, Sir, our purchasing power has decreased by one-third, it is I think a reasonable assumption that our purchases for the ensuing year if we are reasonable individuals will also be decreased by one-third, and if we are prudent individuals by rather more than one-third, and yet I note from the Estimates that the figure given for import duty in the Customs revenue estimates stands the same for 1931-1932 as it did for last year, that is to say £2,900,000. I do not know precisely what the process was through which the figures had to go before they were put up in the form of these Estimates, but they can have only one basic fact to go on and that is the basic fact of the statistics of past years. Any knowledge or foreknowledge which the Craftsman possesses must then be added to or subtracted from the basic figure to reach the final figure, but if we are to take what Sir Felix Schuster said as true that conditions are now entirely different, then our statistics for past years are useless or practically useless. Under these circumstances, Sir, I cannot help feeling that our revenue in this particular instance has been overestimated, and I think it would be prudent for us to spend as little as we can. I do not wish to go on for very much longer on this subject. There are a good many other things I would have said had it not been for Your Excellency's announcement, and as a matter of fact I feel so keenly on this subject that I could without any difficulty at all go on speaking about it for hours. I hope, however, that I have said enough to show you, Sir, what I actually think, and to impress upon you that although much has been done on this particular occasion, we hope that still very much more will be done. It seems to me that Government has got to have before it, if we are to preserve our present position, the necessity for reducing these present Estimates by the best part of half a million pounds, and if I wish to be a little bit pessimistic, I will go further and say one million pounds. That, if I may say so, Sir, is the standard which we are setting before you in your attempt to go into the question without the assistance of a retrenchment commission which otherwise we would have attempted to insist on.

The Hon. the Member for Shipping (Provisional) (Mr. F. Bateman-Jones) —

Your Excellency, I wish to second the motion proposed by my friend, the Honourable Banking Member, and in briefly amplifying his remarks I would first of all like to pay tribute to the unfailing courtesy and patience of the Official Members who sat in Select Committee for three days last week, and also to the Heads of Departments who so carefully and patiently explained the various items which are so difficult to comprehend by non-Official Members. I might say it struck me at the time that the unanimity of purpose displayed cannot but result ultimately in several economies being effected. It is simply a matter, Sir, in my opinion, of education. Six months ago I personally thought that the people who ordered economies from Home were wrong and I was right; now I am perfectly convinced that they were right and I was wrong, and I think it is possible that this education as far as primary is concerned will go on amongst the Heads of Departments. Our position was made plain by the Honourable the Banking Member in Select Committee where he stated that unless our objects were attained and we were able to reduce the figures on which the proposed expenditure of Government was based, then we should have a Commission to enquire into the proposed expenditure of the country and its future commitments.

I might say, Sir, as far as we are concerned that there is not a single Unofficial Member of the Select Committee who is satisfied. We went into Committee with high hopes, but I might also add, Sir, that we were not entirely disappointed at the results. We knew perfectly well that the figures had been most carefully pruned and blue pencilled by those very experienced officers of the Government whose duty it is to do it, and we therefore in a way set out to achieve, or attempt to achieve, the impossible. I wish to associate myself with the Honourable Banking Member in his remarks when he said how difficult it is to reduce such figures, and it is only those who attempt to reduce them who thoroughly appreciate the difficulties, but I would say that in my long experience of Select Committee work, I never remember when items have been so carefully challenged and inspected as they have been at this last Committee.

I will now pass on, Sir, and mention very briefly a few matters to supplement my Honourable Friend's remarks on the present situation. We Unofficial Members are convinced that throughout this country and throughout the Empire generally men and women are evincing the keenest interest in the need for economy, and I may say that the opinions of experts on this subject are is that they are viewed by them with good perception and a clear vision. Whoever is blind to the needs of economy, it is not the Unofficial Members of this Council. The financial stringency throughout the Empire is such, that rigorous economy is needed to ensure that every penny spent is necessary for our bare necessities, and that we shall get full value for every penny that is spent. This, Sir, involved the refusal, under present conditions, to sanction any expenditure which may be necessary in theory and I would say as strongly as I possibly can that that is the sole attitude of Unofficial Members. Every penny spent must be challenged and our assets must be conserved, and this attitude is the only honourable one which we can adopt, and which we did endeavour to adopt, throughout Select Committee, and in this Council.

The time has come to recognise the change in the financial position of the world. These changed conditions must be faced by some sacrifices and with courage and self discipline by all classes. These are the words of Sir Robert Horne. Personally, Sir, I am not one to panic about the present financial situation of Nigeria, but what I do say, in conjunction with my other unofficial friends, is, that now is the time for us to take stock of the present, and to take a very careful outlook for the future.

I have had opportunities for conversation with many of the eminent commercial men who have visited this country during the past twelve months, and in every case these eminent commercial men have intimated that the corner is not yet turned, and in fact time after time as they passed through, they emphasised that conditions in commercial life called for more and more severe economy, and in asking for a Commission, Sir, we would have been solely actuated by what we consider is best for this country from a financial point of view. Rightly or wrongly, Sir, Unofficial Members view with alarm the growing liabilities and expenditure of the country in the present financial position. They feel, rightly or wrongly, that the work of certain Departments might be considerably co-ordinated and economies thereby effected. They feel also, rightly or wrongly, that a greater portion of the work now performed by Government Departments might be let out to private companies on contract, also with resulting economy. What Honourable Unofficial Members propose is a course of action which has been put into operation by practically every firm in the country during the past six months.

However, Sir, in view of your assurance this morning, it would appear that some of the Unofficial Members' thunder has been stolen as we wished to debate this matter to a conclusion, but we are content to leave this matter of economy in your hands for the present, and we hope that when the time comes for Your Excellency to make an official announcement, it will be one which will meet with the approbation of all concerned.

There is one point I should like specially to mention with regard to the question of economy. It is somewhat out of place as it might have been raised when the question of the census arose, but the Honourable Chief Secretary stated that it was to the credit of Nigeria that this sum of £7,500 should be spent for the purpose of a census. Well, Sir, it might be to the credit of Nigeria from the Home Government's point of view, but in the minds of the Unofficial Members it would be even more to the "credit" of Nigeria if that £7,500 was allowed to appear on the credit side of the financial statement in view of the present situation.

The Honourable Banking Member also said, Sir, that he was not concerned with the legacies which have been left to this Council. It seems to me that what we are concerned with at the present moment, and what must be the concern of Unofficial Members for some time to come, is the financial legacy which we shall leave to our successors.

The Hon. the Commercial Member for Lagos (Mr. R. F. Irving):—

Your Excellency, it is my duty in the interests of my constituents to say a few words, but they will be very few indeed. I am not one of those who think this country is on the verge of bankruptcy but still we are faced with a very difficult position, a

very anxious position. We cannot, to begin with, accept the Government's estimate of the revenue of the country, and we do not think that any commercial man here in Nigeria or at Home who knows anything about Nigeria's affairs would agree for one moment with those Estimates. I think therefore that unless the expenditure is very greatly curtailed the time is not very far distant when we shall have to encroach on those three and a half million pounds. I think we all very much appreciated Your Excellency's offer of a retrenchment commission. Some of us thought we should accept the offer, but on the whole we thought it best to leave it to Your Excellency, in consultation with your various Heads of Departments, to see if such reductions could not be made as would satisfy us. I must say that when the Select Committee finished I was very optimistic as to what Your Excellency would be able to do, but I am not so optimistic now. The reason is that it is becoming abundantly plain to me that there is a very fundamental difference in the mental faculties or outlook or psychology (I am not intending to be rude Your Excellency) of the Members of Government, and the outlook of the Unofficial Members, and I think that fundamental difference can be explained in a very few words. It seems to me that members of the Government cannot conceive the possibility of the time arriving when we could not spend money on however desirable an object, for the simple reason that we had not got it. We, the Unofficial Members, can conceive such a contingency arising, and therefore as I say I am not so optimistic with regard to this inquiry, and I am rather sorry now I gave my consent to it. It seems to me if I may say so that the attitude of the Government on the question of the financial position of the country is a very different attitude from our own.

The Hon. the Member for the Rivers Division (Mr. Mark Pepple Jaja):—

I think, Your Excellency, it was Sir Hugh Clifford who stated to us in this Council that when Unofficial Members voted solidly against any measure of the Government, it would be given the greatest consideration. This is a case in point and I would now ask what is the position of the Unofficial Members in this Council?

The Hon. the Member for the Egba Division (Mr. S. H. Pearse):—

Your Excellency, I rise to support the motion so ably moved by the Honourable the Banking Member if only to impress on the Government the attitude of the Unofficial Members against the heavy expenditure to be voted by this House. I remember when the Supply Bill was brought before the Council last year we were assured of a surplus of over £5,000,000 on the revenue, but this year I was surprised when the Memorandum on the Estimates was presented to see that we had a deficit of £259,000 instead of a surplus as we had hoped. Now, Sir, that is a thing I can hardly understand; to some of us it is not an easy matter wading through a conglomeration of figures running up to ten millions of pounds; now when Government estimates that there will be a deficit of £259,000, as a set-off against this they tell us that there is a contribution of over a quarter of a million pounds to the Supplementary Sinking Fund, and a contribution of £154,000 to the Railway Renewals Fund both of which we should look upon as revenue, and think they have done their best if only those contributions are provided for. However what I say is that these contributions are matters of settled policy they have been passed by this Council in order that our credit may be upheld on the European market and our financial position stabilised should the necessity arise in future to raise further loans. It is therefore useless relying on them to redeem the undesirable position in which we find ourselves today.

Now, Sir, the position of affairs, taking into consideration our enormous commitments in personal emoluments and "other charges" shows that we are really in a very bad way. I do not rise to criticise the Government, we Unofficial Members who come here from time to time to voice the sentiments of our constituents whom we represent in this Council, cannot rightly put all the blame on Government. We Unofficial Members holding the sounding plummet as we do, instead of calling out "no sounding" as though we were in the depths of financial safety (which our reticence in the past would seem to connote) we should long before

this have sounded the alarm that we were heading for a shoal. Is there any Unofficial Member who can plead ignorance of the position of affairs? Whenever we have come before this Council and have had something to say against any item of expenditure, Government has always thrown it in our faces that it was a ruling of the Secretary of State. I certainly think we ought now to take a stand, let the Government know that we do not want rulings of this sort, and that we should be allowed to make criticisms on the expenditure, on which Government shall take action.

I wish to refer to paragraph 23 of the Memorandum on the Estimates, Your Excellency, which says:

"The Secretary of State has, however, pointed out that a consistent demand is an important factor in successful recruiting, and that a sudden reduction in the requirements of the African Colonies some years ago seriously affected recruiting in subsequent years and affected the quality of candidates applying for positions in the Administrative Service. In these circumstances Government agreed this year to accept twenty-seven candidates (of whom not more than twenty-four are likely to be appointed) which will result in a further temporary excess over the establishment."

Now why should we always look forward to future recruiting? These men are not really necessary, and there are no vacancies for them to fill. We are simply going in advance of our requirements, and as I say, we are heading for a fall. Any commercial man looking through these Estimates would be surprised, and would say that the Unofficial Members have been very lax in their task in Select Committee, and in their attacks against the Government for any unnecessary expenditure.

Item 9 of Head 26 of the Estimates provides for an additional Surveyor to replace the Postmaster-Surveyor in charge of the Lagos General Post Office, a department which has functioned entirely satisfactorily in the past. The present Postmaster-Surveyor has had considerable experience of Nigerian conditions, and I would therefore ask why this additional burden of about £1,000 a year?

With your permission, Sir, I will read an extract from a contribution to *The London Times* by an expert on finance. He says *inter alia*: "A comical wave of fictitious forecasts is floating about that improvement of trade is being observed in some quarters . . . a revival of trade does not come back by the same methods that have destroyed it . . . There can be no permanent improvement until the burden of taxation is in every form reduced to a limit when trading can be carried on at a profit." I wonder if the Comptroller of Customs thought of this when he estimated the revenue from import duties at £2,900,000 for the coming financial year. I can assure him that if present conditions continue, this estimate will fall short by half a million pounds. Our revenue, Sir, is the gauge of our commercial life, and if our revenue cannot stand our commitments, then I say we are heading for a shoal. The Chairman of the Select Committee as a veritable "Master of Method" took very great pains in taking the Committee through the intricacies and difficulties of the Estimates, but we feel that we have not quite attained our object because we have only succeeded in getting an amount of £54,235 cut out of the expenditure.

Personally, Sir, at this stage I should prefer that a domestic commission be appointed to go into all the details regarding the Estimates so as to advise the Government as to what further retrenchments are necessary. I agree with the mover and seconder on the points they have raised, and must support the motion with all the emphasis at my command.

The Hon. the Commercial Member for Kano (Provisional) (Mr. J. Neilson):—

I rise, Sir, to speak on behalf of my constituents in support of the very lucid and expert speeches which have been made on this side. Reference has been made to the eminent commercial men who have recently come to Nigeria. I think I am perfectly right in saying, Sir, that the very highest authority on the products of this country is now in Nigeria, and in the course of conversation with him last week he told me, and this coincides with advices

which are coming out to us from England, that in the principal products of this country there is likely to be no improvement for the next four years. He was speaking of palm kernels, palm oil and groundnuts. The Honourable Member for Banking mentioned in the course of his speech that the only commodity which had maintained its price up to the present time is hides and skins. In the course of the last two months, however, prices of hides and skins have tumbled down. Goat skins are now quoted at 1s. 2d. and 1s. 5d. in Kano as against 2s. 6d. a little while ago, and hides are quoted at from sixpence and sevenpence as against two shillings. It is the same with sheep skins. Stores in Kano are full of hides and skins and we have no market for them. I am told that in America, the country that takes most of our animal products, the stores are also full, and they are not feeling able to give us any normal quotation today for our hides and skins.

In view of the very grave commercial position confronting us, I certainly, Sir, press for this domestic commission which you have offered us. I think it would serve a very useful purpose indeed by going into the whole machinery of Government and examining afresh the whole financial situation in the light of present day statistics, and the very unfavourable outlook of the next few years.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

Your Excellency. There is so much unanimity among Unofficial Members and so many experts on commerce and finance have already spoken, that there is very little really left to be said. I think it was the Honourable the Banking Member who reminded us that the eyes of the local press have been on Unofficial Members. That I believe is so, Sir, and it is another reason why I am somewhat diffident about taking part in any important debate in this House. I am told that one of the important organs of the local press (and you must remember, Sir, that coming from an unsophisticated place like Calabar where there is no local press, I regard with the greatest awe the printed word that is circulated) reported that the Honourable Member for the Colony Division and myself had committed political suicide the other morning in this Council. Now, Sir, if I am going to commit political suicide in Nigeria I cannot wish for better company in which to do it, but I doubt even if the Honourable the First Lagos Member would give a certificate saying that either the Member for the Colony Division or myself were political corpses yet.

I should like to associate myself with what has been said about the attitude of Government officials towards the Unofficial Members in Select Committee. Nothing, I think, could have exceeded the patience and courtesy of the sorely tried Chairman, or the courtesy and help which were extended to us by the Heads of Departments who came into the dock. That was, I think, very striking, and I think it was amazing how a Head of Department could at one and the same time convince us of his courtesy and anxiety to help and yet stiffen his lip over that irreducible minimum, which we found to be the obstacle every time we tried to make a reduction. I must say that in one case the Head of an important Department allowed his courtesy to overcome even that obstacle, and we found that the definitely irreducible minimum of an important item of that important department's estimates was reducible later on. But, Sir, I must take exception to the charge which the Honourable Member for the Egba Division has made against Unofficial Members. The charge was that we had reported to the bridge "no soundings" and allowed the ship to go on full speed ahead, whereas we should have been warning them of shoals. I should like to remind the Honourable Member that a year ago in the debate on the Supply Bill I said:

"I was glad to notice in the Memorandum on the Estimates that it was emphasised that considerable reductions had been effected on the Recurrent Expenditure of the Nigerian Government, but having regard to similar reductions which, owing to depression in trade and so on, have been effected in commercial firms, and the rigid, stringent economy which most firms in this country have found essential, I am not altogether impressed by the amount of reduction in the Recurrent Expenditure to

which the Honourable the Chief Secretary was able to draw our attention. It is quite true the budget is being balanced, but one is left with a sort of suspicion that in Government Department there is not being exercised such a ruthless economy as has been found necessary in commercial enterprises."

Now, Sir, I entirely agree with everything which the Honourable Banking Member has said, and with the pessimistic atmosphere which he has created in Committee and in this Council. It is no time for panic but at the same time I must point out that this is not a new situation. It has changed a little in degree since a year ago, but it is the same in kind and it seems to me that the Government has during the past twelve months failed to realise in spite of the warning of the man "in the chains" that we were approaching a shoal.

We find in the Estimates the reflection I think of a view that has been expressed to me that you cannot control the estimates of expenditure of Government in the same way as you can control those of a commercial house. I think that attitude or that idea can be and has been considerably exaggerated. I think the Unofficial Members who represent commercial houses in this country will bear me out when I say that two instructions have been sent out to them from Head Offices at different stages during the past eighteen months, one that the work must go on as before, and the other that the staff must be reduced. To suggest that there is any difference in either of these two respects in Government administration does not appeal to me as having any real basis in fact. It is the same problem, and it has to be tackled in exactly the same way, and my suggestion is not that the Unofficial Members have failed to give the warning, but that Government has failed to take notice of the warning.

Turning to the Estimates, there is one thing I was glad to notice had disappeared altogether from the expenditure and that is the group of items under the Head "Secretariat of Native Affairs." Now, Sir, I have been blamed in the local press for political inconsistency, but in that respect I may claim consistency right back to the early days of the Nigerian Council when I proposed that this Secretariat was useless and dangerous and likely to be very irritating to the whole Administration. Well, Sir, *de mortuis*, etc.; so perhaps I should not say more than that, but although I do rejoice that it has disappeared, my joy is rather spoilt by finding in the Estimates of the Department that the disappearance of £3,600 which was the cost of the Native Affairs Secretariat has resulted in the increased expenditure of the higher branches of that Department of £4,480. In the reorganisation of the higher offices—I am leaving out of account the junior officers—we find that by cutting out the Secretariat of Native Affairs, additional officers have been added costing £880 a year more than those who have disappeared with the Secretariat of Native Affairs. That is the sort of thing which is rather regrettable having regard to the acceptance of the warning report. There is proof in the report of the debate last year that not only was notice given, but it was accepted by the Honourable Chief Secretary, who on that occasion agreed that "we must not get into a panic, but we must be prudent and realise that we must cut our coat according to our cloth. It is no good at all putting our heads under the sand and thinking things will come out all right in the end." Having got rid of the Secretariat of Native Affairs it would have been more in keeping with those opinions expressed on behalf of the Government if you had been able to come to Committee on the Estimates this year and say "we have done away with this Department which was costing £3,600 and we have saved that £3,600." That, however, was not done.

I wish to say a word on the proposal regarding the Retrenchment Commission. This suggestion has been discussed a good deal among Unofficial Members, and my feeling about it is that if no more notice is taken of the warning which the Unofficial Members have repeated at this meeting in the course of the next twelve months, a Retrenchment Commission and a very vigorous Retrenchment Commission will be absolutely necessary. But, Sir, you have explained to us that you and your advisers fully realise the necessity for reductions in expenditure on personnel, and that is at the root of the means of economising in the administration of this country, and so long as we are satisfied at this stage that that

which the Honourable the Chief Secretary was able to draw our attention. It is quite true the budget is being balanced, but one is left with a sort of suspicion that in Government Departments there is not being exercised such a ruthless economy as has been found necessary in commercial enterprises."

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was not getting into a panic but was saying "I am thinking things will come out all right in the end." Having got rid of the Secretariat of Native Affairs it would have been more in keeping with those opinions expressed on behalf of the Government if you had been able to come to Committee on the Estimates this year and say "we have done away with this Department which was costing £3,600 and we have saved that £3,600." That, however, was not done.

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need for retrenchment and cutting down of establishment is realised by Your Excellency, I think you will be well advised not to press now for the appointment of a domestic commission. I feel perhaps I am in a position to advise Unofficial Members as to the possible work involved in the sittings of a Commission, and all I say is that the Aba Commission would be a tiny thing in comparison with a Commission which is really going to tackle the whole expenditure of the Nigerian Administration. Also at a time like this when staffs are being cut down and Unofficial Members have all they can do to keep their jobs going to the satisfaction of the people at home, I think it is very doubtful whether on a comprehensive commission of that kind and having regard to the enormous amount of full-time work required, it would be possible to get very many Unofficial Members to serve. I think that if some report of the progress of Your Excellency's efforts could be made at the next session of the Legislative Council it would do a great deal to relieve the minds of Unofficial Members who are rather worried about the financial position.

You have come to us, Sir, and I think I may say that when newcomers arrive in Nigeria in high places they are looked at very watchfully, and with a certain amount of suspicion, but I think I have all the Unofficial Members in agreement with me when I say that Your Excellency has impressed us that you have at heart the very problem which we are so anxious to have settled. Not only has Your Excellency come, but what so far as I am concerned I regard as of the utmost importance to Nigeria, Sir Donald Cameron is coming, and I am quite sure that the undertakings which Your Excellency has given as to your personal attempts to achieve economy, will be implemented and possibly with interest by Sir Donald Cameron.

I remember when this Council was first promulgated, there were all sorts of discussions as to whether it was going to be any use at all, or whether it was going seriously to hamper the administration of Government, and many views were expressed, and at that time Sir Donald Cameron said he welcomed the Legislative Council as it would be a weapon in dealing with the extravagances of Heads of Departments. I think, Sir, when he comes back to Nigeria he will still find it a valuable weapon. When I talk about the extravagance of Heads of Departments, I do not mean extravagant in the ordinary sense of the term. I think it is a desirable thing that the Head of a Department should be anxious and enthusiastically anxious to have his Department as perfect as human endeavour can make it, and I think that is what we are up against, and that that enthusiasm must be restrained to meet the financial position. If I have indicated that any change in the attitude of Heads of Departments might with advantage be made, I mean that it should be recognised by them that those attacks on the irreducible minimum were not directed against the Department as such, but they were an attempt to make the Head of the Department realise that he must sacrifice his very deserving ideals in the interests of economy at the present time of financial stress. (Applause).

The Hon. the Commercial Member for Port Harcourt (Provisional) (Mr. C. E. Hartley):—

Your Excellency, I wish to follow the Unofficial Members who have already spoken and to say a few words in regard to what I conceive to be the present position of trade. The Honourable Banking Member read extracts from speeches which stated that present trade conditions had no real parallel, and it was impossible to say what the future will bring. It behoves us therefore to move with the greatest caution. In support of this, and also in support of what the Honourable Banking Member said that our revenue will probably be much less than has been budgeted for, I quote the figures I have received from the Comptroller of Customs this morning with regard to the revenue from customs duties this year, and that for January last year. The total amount of duty collected in January, 1931 was £224,910 as compared with £327,803 in January last year. There is no doubt that a portion of this figure can be explained, but it seems to me that the greater portion of the loss is due to the condition of trade, and I think the best indication of that condition is shown by import duties which are down by no less than £100,000 in one month.

My view of the present trade situation is that the standard of living for many years has been on the upward trend. This has given a great impetus to trade and a vicious circle has been formed. Very large sums of money have been utilised for the furtherance

of trade with the result that we now have reduction in prices. The result is that trade at the moment and for many years to come will be faced with heavy recurrent expenditure which it will be unable to meet. There is no doubt we are in for a lean time for some years to come and it is only those who have great resources and use them to the best advantage who will come through. This is the position of Nigeria today. In the past prosperous years schemes for development have been hatched with the object of improving the status of the natives of the country, and we now have to meet heavy recurrent charges. To meet these charges I consider that there should be no further extraordinary votes suggested, and that the present extraordinary votes should be carefully examined with the object of curtailing or suspending them wherever practicable until better times come.

With regard to recurrent expenditure I think before any money is voted, we should be assured that we are going to get full value for our money, that is with the present financial position in mind. I also consider that our good credit should be ensured, and with that end in view our budget should be balanced, so that the minimum surplus balance of which so much has been said in this Chamber, shall be maintained. I think at this stage we should take the bull by the horns and approach the situation in a bold manner, and if we do that we shall have less fear of whatever the future may bring forth.

The Hon. the Member for Calabar (Mr. C. W. Clinton):—

Your Excellency, coming from an outside province I think it right for me to endorse what has been said by the previous speakers. It was not for me, an inexperienced person in finance, to have got up any earlier to say much about the present state of affairs, and I think it is better that the other Unofficial Members who are more versed in finance, and who understand the situation better than I do, should have spoken first. They have studied the matter very carefully and they were better able to discuss the situation before I could rise to say anything. As I say I endorse their statements *in toto*, and I consider it is good economy for the Government to take the situation seriously and do everything that is possible to cut down expenses. It has been said that the purchasing power of the native has been reduced by 33½ per cent. I can endorse that, and I should say that that figure is rather underestimated. I have been in this country for twenty years and in all my experience I have not known conditions so bad as they are at present. When I first came to this country the prices of oil and kernels (which are still the principal products of the Eastern Provinces and are still the main support of the revenue) were very low, but in all my twenty years' experience they have never been anything like as low as they are at present. The natives of the country complain all over the district from where I come, and because of my business I travel from Calabar to Warri, to Onitsha, Enugu, Degema and Port Harcourt, and they all complain that never have conditions been so bad, and there seems to be no prospect of things improving. Where formerly a native would go up a tree to cut his nuts and after much labour get a tin of oil for which he would receive ten shillings, he will now get no more than three shillings or sometimes two shillings and sixpence: so in proportion to kernels. That is a very serious state of affairs, and it means not only that the native himself is getting a low price, but the merchant who sells the produce has large quantities lying in the stores, which means great loss. This being so, I submit that great precautions should be taken. Now it has been said that Unofficial Members in Select Committee have succeeded in reducing expenditure by £52,000, and I agree with my predecessor who said that that is a very small amount indeed, and it was only by pressure on Official Members that we were able to effect as much. I have sat in Select Committee on three former occasions, and I have never before experienced more strenuous efforts made by Unofficial Members to reduce the expenditure as was done in the last meeting. It has been said that the Official Members were very courteous but they concentrate on their own individual department and are rather inclined to forget other things. They are carried away by their own ideas of the needs of their own department, and that is why it is so difficult for Unofficial Members to do very much in securing reductions. But I would like to say that these Heads of Departments should allow themselves to come out of their obsession (I would call it) and endeavour to think of the

conditions of the world today and not so much of their own special Department, because if they do not, and if expenditure continues at the rate at which they desire it to continue, the results will be disastrous not only to themselves but to those who follow after them, so for their own sakes I would recommend them to try to get out of their shell and look at things from a more general point of view.

There is another point I should like to mention and that is that we are often met by the statement that expenditure on a certain item has been authorised by the Secretary of State. That is a very difficult position indeed, and it is a very delicate position, and if we are bound by what the Secretary of State wishes to do, then our position is a very peculiar one. Then I would ask, what is the object of our being here if matters have already been settled beforehand by the Secretary of State and we are not allowed to make any alteration in his decisions? I submit that we certainly ought to be told that on certain points we have no say. It would be useless to put them before us and say that we must endorse them when the Secretary of State has already given his consent. I consider, Sir, that our position ought to be looked into and made clear. I must express thanks that Your Excellency has decided upon the domestic commission. It has relieved us a great deal, and though, as an Unofficial Member has said, we are deprived of some of our thunder, I am very much afraid it would have had very little result if Government had determined to stick to their programme. I therefore congratulate Your Excellency and thank you for that promise.

The Hon. the Member for the Colony Division (Sir Kitoyi Ajasa, Kt., O.B.E.) :—

Your Excellency: Honourable Members of this Council I should like you to join me in welcoming His Excellency to the Government of Nigeria. We pray for him strength and health in the discharge of the duties of his high office. By the boat on which he travelled to Lagos I received a letter from an old friend of mine in London who was present at the farewell party given to him and my friend said "I am sure you will like Mr. Hemmatt." At the time when we saw him in this Chamber when he was about to take the Oath we were sure we were going to like him, and by the manner in which he has taken the remarks of the Unofficial Members we are still more sure that we shall like him, and I should just like him to know that we are really not so bad as all that.

It is a very difficult position to be in. I do not say for one moment that the Official Members are not trying to keep down the budget, but I fear they are between the devil and the deep blue sea. They have their particular departments to look after, and they know very well what Government is going to do with a blue pencil in one hand and a red pencil in the other. What we can do is to ask Government to cooperate in reducing the budget. In this respect I would ask you to bear in mind that this is not the first time I have sat in Select Committee, and the Honourable Treasurer and the Honourable Chief Secretary will bear me out when I say that in this particular instance it was the first time that Unofficial Members have not asked Government to put more money in the estimates of expenditure. I think the Honourable Banking Member has put the case before Your Excellency very convincingly. I think it has convinced everybody and I am quite sure Government will not fail in securing the welfare of Nigeria and the credit of Nigeria. I welcome you, Sir. (Applause).

The Hon. the First Lagos Member (Dr. C. C. Adeniyi-Jones) :—

Your Excellency. A good deal has been said on the financial commitments of the Colony by those who have already spoken, but there are, apart from those of finance, other interests obtaining in the Colony today, and perhaps it will not be out of place if I take this opportunity to put one or two before you.

Since the last but one meeting of this Honourable Council, there have been changes in the personnel of the high officials of this administration, and perhaps it would not be out of place for me to say a word or two on the services which some of those officials who have retired have rendered to the Colony. One change in the personnel of a high office is the promotion of the

late Attorney-General to be Chief Justice of Nigeria, and it never again falls to the lot of His Honour the Chief Justice to do any other service to the Colony, his services in connection with the Aba Inquiry have won from the community their undying gratitude, the fact that the Government has not accepted entirely the findings of that Commission notwithstanding.

During this period also our Governor, Sir Graeme Thomson had to leave this country on sick leave when His Honour Captain Buchanan Smith assumed the reins of Government, and we give him credit that in conjunction with his chief of staff, the Honourable Acting Chief Secretary to the Government, they were able to carry on the interim Government without a blot on the escutcheon. As everyone knows, Sir, Your Excellency had already assumed the reins of Government when the announcement was made of Sir Graeme Thomson's transfer to Ceylon, and the appointment of Sir Donald Cameron as his successor. It can hardly be expected that after having been here barely three months Your Excellency can have been initiating any great policy of your own, especially as the Governor Sir Donald Cameron is expected out within a period of from four to five months, and whilst Your Excellency is presumably studying the various phases and implications of Nigeria affairs, as well as the peculiar idiosyncrasies of the Nigerian people, it is pleasant to know that you are able to have such insight into the working of the administration of the country that you have found it necessary to go into the question of the Colony's financial commitments with a view to economy. If I may make one suggestion Sir, in that direction it is that while Your Excellency is engaged in that process which has to be done in connection with the retrenchment of European staff, Your Excellency will be able to find it possible to consider the claims of African officials in the Colony to appointments in the Accounts Branches in the various Departments of the administration. I believe the Honourable Commercial Members of Council will bear me out when I say that the large majority of the accounting work in their offices is being done by Africans and with entire satisfaction, and if inducements are given whereby any of the Africans may hear that they will be entitled to advancement to those higher posts, I am sure they will go out of their way as best as they can to improve themselves, and if such appointments are effected, it will mean considerable saving to the Government in the estimates of expenditure, particularly in emoluments and in the various allowances which swell up the expenditure of the country year by year.

With respect to education, Sir, I must say that we all appreciate in their proper perspective the genuine efforts of the Director of Education to place education on a sound basis in the Colony, but there are nevertheless one or two points with which the African community finds it very difficult to see eye to eye with the Honourable Director. The first point refers to what we consider is the very low standard (Standard IV if I am rightly informed) which is fixed as the highest class in the elementary schools to which pupils can attain. It is this low standard which is exercising the minds of the community very considerably, and which we feel ought to be reconsidered, even though it may be possible that the Honourable Member's inspiration is now beyond the control of the Colony, that is to say it is directed from the Colonial Office. At present we have a greatly increased European staff, and together with the scheme for the educational development of the country, we have budgeted for the next financial year to the tune of £305,000 for education, being an increase of £40,000 since the year 1929. I am finding no fault whatever, Your Excellency, with that figure, even though it is a very large one because I agree with the statement in a little book I have here which says:

"That the education of the majority of the population is obviously a matter of the greatest importance for the well-being not only of the native peoples but also of the community."

But I also agree with a further statement that if the Government is committed to promoting the welfare and advancement of the people in every way "it must be one of the aims of education to offer to Africans the opportunity to advance as far as they can, and to place at their disposal all the stores of Western knowledge."

We feel, Sir, that in this low standard which has been fixed there is a tendency to place very serious limits to the educational development of the African, consequently we feel that it is very difficult to see eye to eye with our minister for Education in that particular scheme.

The other point on which we as members of the African community find it difficult to see eye to eye with the Honourable Member is the question, the very much debated question, of vernacular education. English, Sir, is the language of the entire British Empire, and therefore it behoves every one, be he a citizen or a subject, thoroughly to master that language in order to enable him to realise, appreciate and understand the laws, the aims and purposes of the British Government, and the best argument which I can produce against the enthusiasm of the Education Department for vernacular education is to be found in the fact that all the Africans who today are holding positions of trust and responsibility in almost every walk of life were reared and educated on a system that is the reversal of the vernacular system of education. It has never yet been said to my recollection that the introduction of that system was because the absence of it has resulted in any great deficiency in the education of the native of this country. Another argument is to be found in a memorandum printed some time ago and issued by the Director of Education in the North, Mr. Urling Smith, who pressed that the study of the English language should be introduced as early as possible into the school curriculum, and his reason, if I have read his report correctly, was because for the many years that that particular system was in vogue in the Northern Provinces and they failed to find suitable candidates to fill up the various appointments which became available consequent on the British Government taking charge of the Northern Provinces.

If then the Director of Education will consider these questions which have been brought to his notice more than once before, and will consider them in the light that those whom it is hoped to benefit are asking that the standard of education in the lower schools be increased, he will leave a monument in this country which will remain until his last days on earth.

Before I close, Sir, I wish to join the Honourable Member for the Colony Division in welcoming you to this Colony. I said at the start that there are some knotty problems ahead in this administration, and we are hoping that ere long with that sympathy which is at present characterising your initial administration, you will be able, in conjunction with Your Excellency's experienced advisers, to right all these matters, and when you leave this country at the expiration of your service here, there will be no record of anything like the *Aba* incident to mar Your Excellency's administration.

The Hon. the Third Lagos Member (Mr. T. A. Doherty):—

I feel, Sir, that I am impelled to say a few words but I am worried to know if this is a debate on the Supply Bill or on the motion by Mr. Herapath that this Bill be read this day three months. However, as Mr. Herapath said he moved this resolution in order to enable him to make a few observations on the original motion, I feel I have to say, Your Excellency, that I agree entirely with the majority of those who have spoken on the Bill so far as the cutting down of expenditure has been effected. There is no doubt that we all appreciate the position, and that drastic economy is very much needed, and I have no doubt that Government fully appreciates that fact as well. Representing as I do the African community of Lagos I feel I should express my thanks for the help that has been given to us in assisting us to understand the true position of things. I consider that the advantages to my people are very many and I have no doubt that Your Excellency's Government will make every endeavour to see that these economies are effected as soon as possible.

The Hon. the Member for the Warri-Benin Division (Mr. I. T. Palmer):—

Your Excellency. The Honourable Banking Member has said all that is necessary, and that is the absolute need for cutting down expenses, and until this is done I am certain, Sir, that Nigeria will remain in an unsettled state financially.

The merchants who are buying and selling are now busy in cutting down expenses by retrenchment wherever possible. I suggest that this Government which depends entirely on revenue from this country should follow their example.

The Hon. the Member for the Egba Division (Mr. S. H. Pearse):—

I should like to ask what the position is now, Sir. Are we supporting Mr. Herapath's motion, or are we speaking on your Address? I personally wish to support the motion, as I wish to have another opportunity of speaking on the subject.

His Excellency:—

The position really is that in order to give Honourable Members an opportunity to discuss the Supply Bill after Select Committee instead of before Select Committee, the Honourable Banking Member moved this resolution, which gives every Honourable Member the opportunity of expressing his views, which he would ordinarily have had on the second reading of the Bill. It is owing to the fact that Honourable Members wished to take Select Committee first that this procedure has been adopted.

The Hon. the Mining Member (Mr. J. G. Foley) (Provisional):—

I do not rise to make a speech, Sir, but I would like to impress upon Government that from the point of view of the interests which I represent, I entirely agree with the views that have been expressed by Unofficial Members sitting on this side of the House. Prices today have fallen below the level of 1919, and industry today is in a worse position than it was twelve years ago. Just before I left London the only commodity that was rising on the market was sulphur, but the amount available was being reduced to a minute quantity. This situation generally is not so much due to the falling off in consumption as to one of over-production, and that is the serious trouble today. Consumption has risen to a certain extent but at the same time it has not done so sufficiently to absorb production. I should like to say that I think the only way in which Nigeria can deal with this question is to control production. I think if Government will bear that fact in mind it will go a long way towards helping to solve the difficulties which we are experiencing.

I am sure everybody in Nigeria will agree with me in expressing pleasure that Your Excellency is going into the whole question from an economic point of view. The question of the appointment of a retrenchment committee before Your Excellency had had an opportunity to investigate the affairs of the country would have been premature. I should like to say how much the Unofficial Members appreciate the opportunity you have given them of discussing the Supply Bill in this manner today after the Select Committee meeting.

The Hon. the Treasurer:—

Your Excellency. It has always been the duty of the financial adviser of your Government to speak on this debate mainly for reasons of finance; to explain some item which has not been clear to Honourable Members, to contravert other Honourable Members, and really to endeavour to prove that the Government is right and Unofficial Members are wrong. Unofficial Members have on this occasion been most extraordinarily thorough in their programme because even in the speeches that have been made to Your Excellency today they have already deprived me of my normal duty and that is to contravert them and to say they are wrong and that their figures are not correct.

In Supply Committee this year I was amazed by the absolute grasp of the facts contained in that very difficult volume of Estimates, which has always been spoken of by Unofficial Members as something which cannot be understood, and that they have very little time to study it. In Committee, Sir, the Honourable Banking Member made it abundantly clear that he had mastered everything contained within the two covers of that volume. He was aided by the other Unofficial Members, and all I can say is that after the combing that has been done to those Estimates, with my knowledge, ever since November last which resulted in the present Estimates, a further reduction, which has been made by more

sacrifices in a good many ways, has resulted of more than £50,000. That does not mean £50,000 in exact figures, it means £50,000 on to what most people thought was the irreducible minimum. Unofficial Members have solved a very difficult problem, for they have been able to reduce an irreducible minimum, and I think they deserve congratulation.

There was one question that struck me might be mentioned and that was the point which the Unofficial Members indicated might be followed in regard to cutting certain things and making drastic reductions. That, Sir, is your policy as we all know, and it is the policy of your Government. The Government is a somewhat cumbersome machine. It is not like those industries and great commercial concerns which are controlled by what I think are known as "captains of industry." It is not one concern alone. It is many concerns joined together and banded together into one Government which you, Sir, represent. When commercial, industrial or other heads of concerns wish to make reductions they can do so with a facility which every member of the Government envies, and when we as members of the Government have to make reductions, it does not mean we can effect them by a telegram from London ordering economies where we think they are necessary. The Government has commitments which it must meet, but Honourable Members know that although the mills may grind slowly, "they grind exceeding small", and Honourable Members have heard the promise that these inquiries are going to be made, and they will find that Government will make a reduction in the irreducible minimum.

One other question arose and on this I must say that most Unofficial Members realised the real position. We are in an extraordinarily fine financial position. We have a magnificent surplus, and as the Honourable Banking Member so very eloquently said, far better than I could, that what we have we want to hold, and that is the position of Government. Though the mills may appear to be moving slowly yet the iron ration will be preserved, and we have an ample margin now to preserve that and still keep the efficiency of the service.

The Hon. the Acting Chief Secretary to the Government:—

Sir, I have one small point to make in connection with the remarks of the Honourable Commercial Member for Calabar. I am sorry he did not refer to the staff of the Nigerian Secretariat in Select Committee because I think I could have made it clear to him that there is not only a reduction in the staff owing to the abolishment of the department of Secretary for Native Affairs, but the addition in item 5, Principal Assistant Secretaries, is set off by a reduction in Assistant Secretaries in item 9. That is indicated, I think, in the notes to the Estimates, and I may say that the officers who are drawing salaries as Principal Assistant Secretaries are actually receiving less money than the officers who were acting as Senior Assistant Secretaries last year. One officer has personally lost money by the reduction of staff in that way.

I have nothing more to add in regard to the Estimates at this stage except to say how much I personally have appreciated the attitude of Unofficial Members in Select Committee, and also in regard to this discussion on the Estimates. Unofficial Members have been of very great assistance to the Government and we very much appreciate what they have done.

The Hon. the Banking Member (Mr. L. M. Herapath):—

Sir, I beg to withdraw my amendment.

His Excellency:—

Is it the wish of the Council that the amendment be withdrawn?

There being no opposition the motion was declared withdrawn.

His Excellency:—

The motion is that the Bill be read a third time and passed.

Bill read a third time and passed accordingly.

NATURAL PRODUCTS (INDUSTRIES PROMOTION) ORDINANCE, 1931.

The Hon. the Attorney-General:—

Your Excellency, I move that a Bill entitled "An Ordinance to enable Government to encourage the promotion in Nigeria of Industries in certain Natural Products by affording some measure of protection against competition" be now read a second time. As Honourable Members will probably have realised the kind of natural product which Government has in mind in introducing this Bill is a natural product which, after having been regarded, as far as least as this country is concerned, as being of little or no importance, is thought to have commercial possibilities. I suppose scores of instances could be given of natural products which have been considered to be of no value whatever, and then with the progress of scientific research and investigation, it has been realised that they represent potential wealth and possibly very great potential wealth. The idea underlying this Bill is to enable the Government to assist any company which has the enterprise to endeavour to develop an industry in some such natural product, by affording that company for a time complete or partial protection against competition over the whole or a part of Nigeria, and I need hardly say that what Government would be looking at would be, not what the concession would mean to the company, but what it would mean in employment, in work and in material gain to the people of Nigeria.

The provisions of the Bill which naturally invite particular attention are in the first place those under which natural products may be added to the one item, anaphe silk, which already appears in the schedule to the Bill, and those provisions which enable the Governor-in-Council to protect against competition. Clause 4 of the Bill enables the Governor-in-Council to make an Order adding a natural product to the Schedule, but Government considers that the exercise of a power of this kind should be subject to the consent of the Legislative Council, in exactly the same way as the consent of the Legislative Council has to be sought when it is proposed to alter an import duty or an export duty. Clause 4 accordingly makes it quite clear that an Order-in-Council adding a natural product to the Schedule will have no effect until it has been approved by the Legislative Council. Now assuming that it is desired to protect from competition a company (and when I use the word "company" I might equally refer to a firm, or an individual—I use the word "company" simply for the sake of brevity) which is proposing to exploit some natural product which appears in the Schedule to the Bill, clause 3 of the Bill indicates the manner in which this can be done. Under that clause the Governor-in-Council can make a regulation prohibiting the treatment of the natural product for manufacture except under a licence granted by the Governor. Such a regulation having come into force, the Governor would then grant the company a licence for a term of years.

A regulation might prohibit the manufacture of a natural product anywhere in Nigeria or over a limited area only. In the same way a licence might authorise the manufacture of a natural product anywhere in Nigeria or only within a limited area. You might, for example, have a regulation prohibiting the manufacture of a natural product in Nigeria, and then have Nigeria divided up into three parts, and a company operating under a licence in each of those three parts. As, I think, Honourable Members will realise, it is essential that clause 3 should be so framed as to permit of Government taking the appropriate action in any of the great variety of cases which can readily be imagined.

My instructions are to introduce the second reading of the Bill, but if there is any considerable opposition to the second reading, that is to say, if Honourable Members indicate that they desire substantial amendments to the Bill, then Government would propose to proceed with the second reading of the Bill at this meeting of Council; because, although Government attaches considerable importance to the Bill, it is not essential that it should be passed at this meeting of the Council. The meetings have already lasted a considerable time and Government would not feel justified in keeping Honourable Members here if a prolonged discussion on the Bill is likely.

The Hon. the Director of Agriculture:—

I beg to second the motion.

The Hon. the Commercial Member for Lagos (Mr. R. F. Irving):—

Your Excellency, I might say that this Bill has been carefully examined by the Chamber of Commerce and they are opposed to it. They are not opposed to anaphe silk itself being protected, but they are not satisfied with the items appearing in the Schedule of the Bill.

The Hon. the Attorney-General:—

In view of the opposition which the Honourable Member has intimated there is to clause 4 of the Bill, I will, with Your Excellency's permission, state what the attitude of the Government is. It is unlikely that the Government will require the powers conferred by this Bill in the immediate future except in so far as the Bill relates to anaphe silk, and if the Council would agree to passing the Bill, amended so as to confine its application to anaphe silk, that would satisfy Government. If that is agreed to, Government will accept such amendments to the Bill as will make it in effect simply an anaphe silk industry promotion Bill. At the same time I ought to make it clear that subject to such amendments, Government would have to ask that clause 3 should remain in its present form.

The Hon. the Commercial Member for Calabar (Mr. G. Graham Paul):—

May I suggest, Sir, that in view of the fact that this Bill does introduce very startling new economic ideas, we ought to give everyone the opportunity for a little more consideration of its provisions, and have the second reading postponed until the next meeting of the Council by which time all interests concerned will have had more opportunity to study the Bill, and possibly some unofficial, informal meeting with some of Your Excellency's advisers might result in the Bill, in some amended form, being acceptable to us.

The Hon. the Attorney-General:—

In the circumstances Government considers that the best course will be to defer the debate on the second reading until the next meeting of the Council.

Debate deferred accordingly.

His Excellency:—

Honourable Members, I wish to refer to the proceedings this morning in which provision was made for a census by the use of the official vote. I may say at once that I regret the necessity for the use of the official vote. It seemed to show lack of appreciation of the efforts of Honourable Unofficial Members. This was not intended. In 1924, Sir Hugh Clifford in addressing this Council said:—

“There is one other point, and that is that, in the event—the very unlikely event—of my Government majority on this Council finding itself opposed by a solid wall of opposition from the Unofficial Members—I have only on one occasion seen that occur in any of the Councils to which I have had the honour of belonging—should that event arise, I think I can undertake to say that, as soon as the vote has been registered, no action will be taken on the matter until further consideration has been given to it, or reference had to the Secretary of State for the Colonies.”

Honourable Members, reference will be had to the Secretary of State for the Colonies before expenditure is incurred, but not before the provision is made in the Estimates.

That, gentlemen, finishes the business, and Council is adjourned *sine die*.

Council adjourned at 1 p.m.

