

SESSION (1960)



GOVERNMENT OF WESTERN NIGERIA

HOUSE OF ASSEMBLY DEBATES

OFFICIAL REPORT



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Western House of Assembly, Ibadan

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63. Igugu, Mr T. E.	Central Urhobo East
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65. Imafidon, Mr E. O.	Benin Central East
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71. Layonu, Mr S. A.	Ede-Ejigbo South
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75. Odebiyi, Chief J. A. O.	Egbado North-East
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77. Odotuga, Mr J. A.	Epe North
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79. Ogunmuyiwa, Mr J. A.	Oshun South-East II
80. Ogunyele, Mr Y.	Oshun South-East I
81. Ojeniran, Mr B.	Oshogbo North II

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83. Okeya, Mr S. A.	Ekiti South-East II
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85. Okusaga, Mr A.	Ijebu South-West
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89. Olaniyan, Mr B.	Ibarapa East
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108. Oviasu, Mr G. I.	Benin Central West
109. Owonikoko, Mr K. O.	Oyo Central I
110. Oye, Hon. J. O.	Afenmai North-West I
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116. Sogbein, Hon. S. O.	Egba North-East
117. Somotan, Mr A. S.	Ibadan South-West Central
118. Tabiowo, Mr P. K.	Central Urhobo West
119. Tifase, Mr J. L.	Ondo North-East I
120. Tinubu, Hon S. A.	Ishun North-East I
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The Minister of Lands and Housing	Member
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Western House of Assembly Debates

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DEPUTY SPEAKER OF THE HOUSE

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WESTERN HOUSE OF ASSEMBLY

TUESDAY, 22ND NOVEMBER, 1960

The House met at 11.00 a.m.

PRAYERS

(Mr Speaker in the Chair)

BUSINESS OF THE HOUSE

RESIGNATION OF MEMBER

Mr Speaker: Hon. Members, I should like to acquaint you of correspondence between me and the hon. Mr Dennis Osadebay, the Leader of Opposition in this House up till fifteen days ago. I received a telegram from him, as follows:

"Speaker House of Assembly, Ibadan
Regret have to resign my seat from
House X Letter follows
Osadebay".

It was on the 17th of November. The letter which follows was dated 17th of November, 1960, and written in Lagos, addressed to the Speaker of the House of Assembly, Ibadan, as follows:

"Dear Sir,

Resignation

I beg to resign my seat in the House of Assembly. I regret very much to quit the honourable House in which I have served for some nine years. My thoughts will always be with you and with my hon. Friends.

Yours faithfully,
(Sgd.) D. C. Osadebay".

In reply to this, and as everybody knows, the hon. Gentleman is now the President of the Senate—(*Cheers from Opposition Benches*)—I sent him a telegram, as follows:

"Dennis Osadebay President the Senate
Lagos

Accept warmest and heartiest congratulations from all Members of the House and myself on your election as President of the Federal Senate. We are sorry to lose you but glad you are leaving for greater responsibility

May the Senate under your leadership be guided aright in all its deliberations."

The Leader of the House (Chief J. A. O. Odebiyi): Mr Speaker, Sir, may I say for the attention of hon. Members that the present sitting of the House will last for two days, depending, of course, on the speed with which the business of this House is handled.

PAPERS

The following Papers were laid:—

1. "Proposals for the Declaration of a Minority Area for the Midwest Area of the Western Region and the Establishment of a Midwest Minority Council." (*The Minister of Midwest Affairs*).

2. "White Paper on the Establishment of a University in Western Nigeria". (*The Minister of Education*).

BUSINESS MOTIONS

Suspension of Standing Order 4 (2)

Chief Odebiyi: Mr Speaker, Sir, I beg to move that Standing Order 4 (2) be suspended this day to allow the House to continue sitting after 1 00 p.m. if necessary.

The Minister of Local Government (Alhaji D. S. Adegbenro): I beg to second, Mr Speaker.

Question proposed.

Question put and agreed to.

Suspension of Standing Order 4 (4)

Chief Odebiyi: Mr Speaker, Sir, I beg to move that Standing Order 4 (4) be suspended during this Meeting.

Alhaji Adegbenro: Mr Speaker, Sir, I beg to second.

Question proposed.

Mr V. I. Oviasu: Mr Speaker, Sir, this Motion would not have been necessary if the Leader of the House had been competent enough to know that the Standing Order in question ought to have been amended long before now. We now have two Houses in this Legislature—the House of Chiefs and the House of Assembly. This section of the Standing Orders was drafted when both Houses were using one Chamber. Now that we have two Chambers, this section of the Standing Orders ought to have been amended. We have had to amend this Section from time to time and I must say that the suspension of Standing Order 4 (4) is not necessary any more. I hope the Leader will make some arrangements as quickly as possible to see that Standing Orders of this House are up to date.

Chief Odebiyi: I thank the hon. Member for being so kind in pointing this out. I can only hope, Sir, that Members of the Opposition who are also Members of the Standing Orders Committee will be well enough, depending on some drugs, to take part in the deliberations of the Standing Orders Committee. May I also point out

[CHIEF ODEBIYI]

that it would be sometime now before a wholesale revision of the Standing Orders can be undertaken. I would like to assure hon. Members that arrangements will be made to effect this as soon as possible.

Mr R. A. Fani-Kayode: Mr Speaker, Sir, I feel very reluctant to admonish, though very slightly, the Leader of the House, but this type of thing cannot continue to go on unchecked. We have always been told of the efficiency of this Government and its Committees—of course the Committees appointed by this Government—and I do not think that you, Mr Speaker, will agree to conceal imperfection in this House. Mr Speaker, as you know, there must be general assent in the suspension of Standing Orders, and we have now been treated so badly that this is an opportunity for us to rise now and register our protest. As things are at the moment, we have just been given these Bills to study and then we shall come here the following day for another Meeting. What I am saying is that we are not giving ourselves sufficient time to study Bills, and it is no use suspending Standing Order 4 (4) from time to time, and in any case, I feel that a general consent must be obtained before this Standing Order can be suspended and we on this side are not giving our consent. We are subject to the ruling of Mr Speaker on this.

Chief Odebiyi: Mr Speaker, Sir, it appears that hon. Members do not quite understand what is implied under this Standing Order. It merely says that at least one day's notice shall be given before the presentation of any Bill.

Mr Speaker: It appears that there is a sort of confusion or argument on this point. This particular Motion seeks the consent of the House to sit today, which happens to be a day when both Houses are sitting together; that is, there is a joint sitting. This Motion seeks only to give us power and rights to sit today. That is the position. Other extraneous matters not connected with the sitting of the House jointly and this separate sitting is outside the scope of this Motion. I think that the Motion is properly before the House. The question I now have to put is whether the House accepts the terms of the Motion or otherwise.

Chief Odebiyi: Mr Speaker, may I point out that the word "consent" does not mean unanimity, Sir.

Mr Fani-Kayode: Mr Speaker Sir, we cannot allow things to continue like this. We will always make sure that democratic

procedure is established on the floor of this House. No more shall we tolerate any dictatorship from any side of this House. Mr Speaker, Sir, we implore you to implement your decision that the general assent of the House is necessary, and Sir, we are not prepared to give our assent. We shall be subject to your ruling.

Mr Speaker: I feel that the Motion is properly before the House. The question now is whether the House accepts the terms of the Motion or otherwise.

Chief Odebiyi: Mr Speaker, Sir, the words "general consent" do not mean "unanimous assent."

Opposition Benches: They do.

Mr Fani-Kayode: The hon. Minister should have much more knowledge of parliamentary procedure. He has been long in the House to know that when he says "general assent" it means consent of the majority. Therefore every Member of the House must give assent. Mr Speaker, Sir, may be the inefficiency of this Government has been left alone in the past, but as from now, we shall fight very hard in order to usher in a truly democratic process; no more shall we tolerate dictatorship. Mr Speaker, Sir, I want you to implement your decision but we on this side of the House are not prepared to give general assent.

Mr J. O. Awopeju: The word "general" does not mean "unanimous." It means the will of the majority. If the Standing Order means unanimous assent it should have said so in so many words. In the context "general assent" means majority assent.

Mr R. E. Akinyemi: It is very surprising that the Member for Remo North or South (or wherever he comes from)—(*Mr Speaker: I beg your pardon, I am from Remo South*)—does not understand the interpretation of "general assent". If he understands, he is a lawyer, he should have known. (*Hon. Members: He is a senior lawyer!*) I have been in the Bar ever before he came back from the United Kingdom. If it is a unanimous decision; if it is a question of "majority decision" it will be so stated categorically in the Paper. If it is a general assent, then everybody in the House must give his assent. (*Interruptions*). Why are the Members of the Government shouting? Most of them do not understand the general principles of Law. Let the Attorney-General get up and speak.

Mr Speaker: Order! Order! I rule that the word "general" means "majority".

Question put and agreed to.

Suspension of Standing Order 18 (b)

Chief Odebiyi: I beg to move that Standing Order 18(b) be suspended this day to allow Government Business to take precedence over the business of Private Members. May I explain that if we take Government Bills today we shall have time to take Private Members' Motions tomorrow.

Alhadji Adegbenro: I beg to second.

Question proposed.

Question put and agreed to.

Suspension of Standing Order 41 (1)

Chief Odebiyi: I beg to move that Standing Order 41 (1) be suspended this day in respect of the following Bills:—

1. The Waterworks (Amendment) Bill, 1960.
2. The Premiers Pensions, Bill, 1960.
3. The Loan (Internal Borrowing) Bill, 1960.
4. The Council of Obas and Chiefs (Amendment) Bill, 1960.
5. The Interpretation (Amendment) Bill, 1960.

The Attorney-General and Minister of Justice (Mr S. O. Ighodaro): I beg to second.

Question proposed.

Mr B. O. Olowofoyeku: Mr Speaker, Sir, it now appears that there is suspension of every section of the Standing Orders in the Order Paper for the day. It is surprising that an important Order—section 41 (1)—which provides that at least notice of one day should be given in respect of any Government Bill is being suspended. We have often said on this side of the House that this Government is doing everything possible to muzzle the Opposition; in other words, to gag the Opposition; and there can be no better example of the attempt on the part of Government to muzzle the Opposition as this attempt on the part of the Government to put in a Bill on the Table of this House for discussion without adequate notice. I do not know, Mr Speaker, what cause the Government has got for such a hurry as we have seen these last few days. We were summoned to this House by telegram. The usual procedure is to send to Members their Papers as well as Bills that are to be laid on the Table of this House. The usual procedure is to get these Bills on to the Gazette for proper study so that justice may be done to them on the floor of the House. It is

surprising therefore that a Bill which seeks to grant pension to the Premier of the Region should be thrust upon the House without adequate notice, and I therefore say, Sir, that we do not want the Government of this Region to act as if it were a private institution. We all want to know what the Government are up to and as the watchdogs of the members of the Public, it is our duty to study Government Bills properly and to give the opinion of the public about those Bills; and so, Sir, I say that we on this side of the House are not agreeable to the suspension of Standing Order 41 (1) in regard to those Bills which are now on the floor of this House.

Chief F. Oputa-Otutu: Mr Speaker, Sir, I do not know what reasons the Leader of the House will adduce in support of his Motion but I would like, Sir, to point out that in the Federal House, the Opposition did complain that the House has not been meeting regularly and frequently. That is the Opposition in the Federal House, but here in the Western Region we find that the Government is always in a hurry to rush Bills through. Mr Speaker, Sir, I think it is most unfair that this House should be summoned and the Bills thrust upon the Opposition; there was no sufficient notice in the *Gazette* and we are now being asked not even to go through the Bills before we make our points or make our contributions to the Debate. Mr Speaker, Sir, I support the last Speaker and I hope the Leader of the House will be reasonable enough to give up this Motion.

Chief J. O. Fadahunsi: Mr Speaker, Sir, in the history of this Parliament, if I remember well, this is the first time that a meeting has been called by telegram and the shortest notice we have ever had in this Region, and then to come here this morning only to be asked to debate four Bills together which nobody has ever opened to see! Even the telegram expressed that we would find our Papers when we arrived today. As soon as we got the Papers, we went to the other House; now we come here to be asked to suspend Standing Orders. I do not know why you cannot give us twenty-four hours to study the Bills.

Mr P. K. Tabiowo: Mr Speaker, Sir, the notice which has been given to Members as expressed by Members of this House is in fact the shortest notice that has ever been sent to Members. It does not require any big campaign to know that the notice is a short one and here we are called upon to debate the Bills. Mr Speaker, Sir, there is one point I want to make very clear to the Government of this Region this morning.

[MR TABIOWO]

We Members of the Opposition must be very very careful to study any Bill that is presented to this House by the Government of this Region. We must scrutinise it before we give our own contribution, whether it is going to be passed by the majority or not. Here, the other day, a Bill was tabled in this House—The Income Tax Amendment Bill—an undertaking was given, and contrary to the undertaking that was given before that Bill was passed, what we do see in the Region was a different thing. (*Hon. Members: What do you see?*)

Mr Speaker Sir, the Action Group Government cannot blow hot and cold in the same breath. You cannot say in the Centre that Parliament was not sitting often, that Members were just being paid for just sitting for a few days, and here in the Region, where you are in power, a host of Bills are laid before us and you want Members to work through them in the twinkling of an eye. If we all haven't much experience, we old Members of this House have gained such experience to guide us on matters like this. You summoned us by telegram. I cannot remember any other Parliament that could be so summoned at so short a notice, except a Government of the Action Group in the Western Region. There is no other Government. (*Government Benches: What about the Eastern Regional Government?*) The Eastern Region Government is more democratic than your Government here.

Here, you are bringing a Bill this morning to build a University in the Western Region. (*Government Benches: Like the East*). You have always priced yourself to be the best Government, not only in the Federation of Nigeria, but in the whole world.

Mr Speaker Sir, we want longer notice to be given, we want Bills to be sent beforehand. We don't want Bills to be so crowded and then rushed on Members. (*Government Benches: Crowded?*) I went to school when most of you were small kids. (*Mr Speaker: You mean some of them*).

Mr Speaker Sir, in future, before Bills are presented, we want Government to give us longer notice to allow the Bills to be well studied.

Mr Fani-Kayode: (*There was a lot of interruptions as Mr Fani-Kayode rose to speak*). Mr Speaker Sir, I shall wait for the children to stop. It is quite clear that this House can only be summoned by the Clerk of the House in a particular manner. We are prepared to by-pass this defect, but it seems

to me as if the Government, instead of apologising and accepting their fault, meant it to be deliberate. Their Members come here to make rude noises; in fact, they cannot make anything else.

Mr Speaker Sir, I refer you to Standing Order 5 (7) which stipulates the particular way in which the House should be summoned; not by telegrams. We are no house boys. It reads. (*Alhadji Opaleye wanted to quote from Erskine May, but Mr Fani-Kayode did not yield.*)

"The Clerk shall send by registered post to each Member a written notice directing attention, in the case of a new Session, to the Proclamation made by the Governor pursuant to section 80 of the Order in Council, or, in the case of the re-assembling of the House after an adjournment sine die, to the day appointed by Mr Speaker."

Well, no day has been appointed. They come here to parade their ignorance in an arrogant manner. They should have done so politely. We shall not tolerate a parade of ignorance in a rude fashion. (*Shouts of "Q.C.! Q.C.!!" from the Opposition Benches*).

Further Sir, one of the Bills that the Government intends to present before this House is not even in print yet. The amendment to the Chiefs Law is not in print. If it is not in print and there is no Certificate of Urgency signed by the Governor, they should not have brought Bills in this way.

I refer to the Order Paper.—Bill No. 4, Council of Obas and Chiefs (Amendment) Bill, 1960. This Bill is not in print yet. Why bringing it up on the Order Paper? That particular Bill should be expunged from among the Bills to be presented. Secondly, what I am asking Mr Speaker to consider is "Can this House be summoned by telegram?" If you want to amend the Standing Orders in order to include summoning Members of this House by telegram, do so, but until that is done, no amount of reference to Erskine May will save you, because Erskine May can only be used in support of our Standing Orders.

I must say, Sir, that we are not pressing that this House has not been properly summoned, although we are entitled to do so. I am saying that Bill No. 4 be expunged from the Order Paper because it is not in print and because a Certificate of Urgency signed by the Governor under Order 54 has not been laid before this House.

Mr Speaker: I really did not take your objection under Order 5 rule 7 very seriously because it is within the discretion of Members

to refuse to attend if they think they have not been properly summoned. Since they have attended, I take it that they are satisfied with the manner in which they were summoned.

Chief Odebiyi: Mr Speaker Sir, if only one or two of the Members of the Opposition had spoken about the points they raised and we had been given an opportunity of replying to it, the hitch which the unannounced Leader of the Opposition has been making on the subject would not have arisen at all.

It is unfortunate that we have to summon Members at a very short notice. This is a period, as you all are aware, when a lot of activities are going on in the Federation and it is difficult for a lot of things to be done according to the spirit and letter of the Standing Orders. I can assure the Members of the Opposition that this was not done as a spite to them. As the hon. Member for Ilesha has said, this is the first time you are being summoned by telegram (*Opposition Benches: Hé said fourth*). In any event, Sir, we do not intend to treat the Members of Opposition with contempt. It is the urgency of the Bills which has demanded the action we have taken and I can assure them that we will always summon them properly, giving them opportunity of studying Bills before they are debated in the House.

Question put and agreed to.

BILLS—FIRST READING

The following Bills were presented to the House for First Reading; they were ordered for Second Reading immediately:—

1. The Waterworks (Amendment) Bill, 1960.

2. The Premiers (Pensions) Bill, 1960.

3. The Loan (Internal Borrowing) Bill, 1960.

4. The Council of Obas and Chiefs (Amendment) Bill, 1960.

The Interpretation (Amendment) Bill, 1960.

THE WATERWORKS (AMENDMENT)

BILL, 1960—SECOND READING

Order for Second Reading read.

The Minister of Works and Transport (Mr S. O. Sogbein): Mr Speaker, Sir, I rise to move the Second Reading of the Waterworks (Amendment) Bill, 1960. All rates except water rates are imposed under the Local Government Law, 1957. At present, water rates are imposed under the Waterworks

Ordinance while the Local Government Law, 1957, creates certain offences relating to rates payable thereunder which include the offence of refusing to pay a rate without lawful justification or excuse and also the offence of inciting a person to refuse to pay a rate. The Waterworks Ordinance does not contain any provisions under which persons who refuse to pay water rates or charges without lawful justification or excuse or who incite other persons to refuse to pay water rates or charges would be liable to punishment. This is obviously an undesirable state of affairs and this Bill is accordingly designed to remedy that. Sir, I beg to move.

The Minister of Lands and Housing (Mr J. O. Adigun): Mr Speaker, Sir, I beg to second the Motion.

Question proposed.

Mr Akinyemi: Mr Speaker, Sir, the Opposition is opposing this Bill. Why are we opposing it? In the first place, the doubt remains whether the Attorney-General has ever seen this Bill before bringing it to the floor of this honourable House. Because the onus lies in the proof that somebody who is incited.....(*interruptions*). This is the principle of law. The Government of this Region is, by this Bill, seeking power to be the prosecutor of their political opponents. They want to get an accused guilty without an offence. The second point is that this is another way by which this Government can prosecute their political opponents. This is another way for the Action Group councils to cheat their political opponents. This is why this Bill is brought here. Let me quote why the Bill was brought. My hon. Friend, Mr Olusa, during the disturbance and stiff opposition the Action Group had in Ikare Division.....

Chief Odebiyi: On point of correction, Mr Speaker, there is nothing like Ikare Division (*laughter*).

Mr Akinyemi: Thank you for the correction. It was because of what Mr Olusa experienced that made the Government bring up this Bill. Just because he saw that there was no other way, they brought up this Bill so that the Action Group Customary Courts can persecute and send opponents into prison. This is what this Government is trying to do. (*Fire, fire!*) They are ready to pounce on their political opponents and send them to gaol. They said "incite", but it is funny that there is a Minister of Justice in this honourable House. It is surprising also that the Premier of this Region is a lawyer by profession (*laughter*).

The Attorney-General and Minister of Justice (Mr S. O. Ighodaro): Mr Speaker, Sir, he should withdraw that, Sir.

Mr Akinyemi: I will not withdraw. They must know that in a Bill as this *mens rea* is required. The Leader of the House is a teacher and not a lawyer. They are just making a statutory offence of the rule *mens rea* just to find it possible to prosecute and persecute the NCNC and their political opponents. Just look at it this way: if you refuse to pay—supposing it is excessive? But there is no provision by which a person who is excessively taxed can appeal, and those to appeal to, if there are any at all, will be Action Group people. They will be Action Group councils, at least. This is what they do and they shout about that they are the best Government. (*Shame, shame*). As far as the Opposition is concerned we on this side of the House will not give you any room for these things. The Premier and others on the other side have never been in the Opposition. (*Interruptions*).

The Premier (Chief S. L. Akintola): This man is wrong as far as Nigerian politics is concerned. I was Leader of the Opposition in the last Federal Government.

Mr Akinyemi: Then he is the only man who has been Leader of Opposition. But then he was always nicely treated by the Government over there as the watchdog of the people. Now the Leader of the Opposition in the Federal House continues to shout about the Federal Government and so, Mr Speaker, we are opposing.

Mr. Ighodaro: Mr Speaker, Sir, I am clearing one or two impressions created by the way the last speaker has spoken. As he has spoken he has made me very shy to acknowledge before this House that I am a member of the Bar (*laughter*). My learned Friend has not been fair to this House. He was calling our attention to the wrong things. Somebody who refuses to pay water rates—has he any lawful justification for doing so?

Mr Fani-Kayode: Please put on your glasses (*laughter*).

Mr. Ighodaro: Thank you. I can see well without them. Not only that, Mr Speaker; the learned Member was very unfair to us in the way he spoke to the Leader of the House, the Premier and others. As the Attorney-General of this Region I must see to it that an ethical standard is maintained. There is nothing wrong in the Bill. The Minister of Works has already explained the position and there is nothing

to make us feel that it is wrong. I am supporting it. Thank you.

Mr Olowofoyeku: Mr Speaker, Sir, in supporting the first speaker from this side of the House that the Members of the Opposition are not agreeable to the passing of this Bill in its present form I have to say that the obnoxious part of it has been left over by the hon. the Attorney-General who has said that there is nothing bad in it. Here is a Bill which is being introduced into the House of Assembly only this morning and which is being debated today and in which the Government seeks to get power in this House to require people who are charged in connection with water works to prove that they are innocent. (*Some hon. Members Water rates, water rates*). Thank you for the correction. In this Bill people who are charged as not having paid their water rates are supposed to prove that they are innocent. In other words, the Attorney-General is telling us that it is the duty of the persons charged to tell us why they have not paid, but what of people who are charged for inciting others not to pay? Who determines those who did not pay and those who incited others not to pay? In all democratic countries if a man incites others not to pay rates, it is the duty of the man to defend himself before the prosecutor concludes that he is guilty.

The second part of this Amendment seeks to put somebody up before the Courts and to get that person to argue that he has not been inciting others not to pay rates. There is nothing more totalitarian than this kind of Bill. We on this side of the House have had cause to levy criticisms on the Customary Courts of this Region. We have been saying that most of the N.C.N.C. people who go to the Customary Courts have had their cases pre-judged in the houses of the Action Group men.

I have had letters written by members of the Action Group, who write to Customary Court Judges that these people who are coming before you are N.C.N.C. and that their cases be determined in such and such a way. I am not going to claim the privilege of this House. I am going to make it a public matter; I am going to put it in the Press and then claim responsibility for it. (*Interruptions*.)

Mr Speaker Sir, we say that this amendment is most unpalatable, but if we have assurance that at the Committee Stage this Bill will be delayed till tomorrow, so that we can bring our own amendments, then we on this side of the House will not press it

[MR OLOWOFOYEKU]

to a division; but if the attempt of the Government is to rush through this Bill and make it a thirty-minute Bill from the time the Notice was presented to this House until the passing of the Bill, we shall surely press the Opposition to a division.

The Minister of Local Government (Alhadji D. S. Adegbenro): I want to erase one erroneous impression created by the hon. Member for Ikeja North. He expressed the fear that rate payers are likely to be over-assessed when water rates are being levied. The hon. Member lost sight of the provisions of the Income Tax Amendment Law which was passed at the last sitting of this House.

The Law provides that any new rate, special rate for water, electric light or anything cannot be levied unless and until the Regional Tax Board is satisfied that the people concerned are not only willing to pay the special rate but they are also capable of paying it, and it is then that the Regional Tax Board will make recommendations to the Minister of Local Government. It is not a rate to be considered in any assessment committee; it is a rate which has to be levied once and for all and at the wish and express desire of the people concerned.

I see no reason why the hon. Member for Ikeja North should entertain any fear at all. In all cases the ability to pay must be certified by a Regional Tax Board and then if all these safeguards are given and any rascal in any community gets up to incite the people not even to pay, or if there is a rascal who feels he can play politics with not paying rates, I think it is only right and proper that the Law should take its normal course to deal with such a particular individual. I am not imputing motives that in this House there are rate evaders, but we have had the experience in this House when a Member on the other side of the House did not pay any tax for two consecutive years even though he was in practice for those years. It was proved in this House and the Member concerned had no sense of shame. He walked out when this revelation was made.

The question of onus of proof or guilt I will leave to the Attorney-General to deal with.

Mr S. A. Okusaga: The Members of the Opposition are not making any points. I have a feeling that they are arguing in order to prolong the discussion of this Bill so that tomorrow they could come prepared to

argue better. There is absolutely no merit, at least there is no merit, if they take that point which the member for Ikeja South has attempted to raise. Mr Speaker Sir, which is more onerous? To say under section 22B "any person who incites any person to refuse to pay" shall not be guilty. Is that what they want? If that is what they want, if they can urge that at the Committee Stage, we shall argue it with them. The Law here says:

"Any person who, without lawful justification or excuse, the proof of which shall lie on the person charged, refuses to pay any rate or charge payable by him under this Law on or before the date on which it is payable, shall be guilty of an offence and shall be liable on conviction to a fine of one hundred pounds or in default of payment to imprisonment for one year.

If this section were not put, it would have been possible for any person to escape liability under this section, and if a Judge at the particular time happens to be friendly disposed the person could be let off. The act then will be more atrocious than it is at the moment.

What does this Law seek to do? It merely makes the people pay rate in respect of water as rate in respect of income tax or merely other rates which are now being collected under the Local Government Law. It was this same House that passed the Local Government Law and the wording of this Law is *verbatim* what exists in the other Law. If this House passed the other Law why not this one?

I do not wish to suggest that the Members on the other side wish to leave provisions in respect of water rate as it has to be, particularly having regard to the fact that one of them has given a history which shows that there is a loophole which evilly disposed persons and people who do not wish or want peace in this Region can exploit. From what was said just now, it was a member of the NCNC who was caught. We are trying to close that gap and only people who are evilly disposed will complain against this piece of legislation.

The question that there may be a possibility of over-assessment has been adequately answered by the Minister of Local Government. Even the Member for Ife or Ila will not himself raise that point because it will be much below him to raise that point of objection.

Mr S. O. Sogbein: I pity Members of the Opposition because they are the people who go about inciting people not to pay rates. (*Interruptions.*) You can't say that this man is

[MR SOGBEIN]

NCNC or Action Group. (*Interruptions.*) If he refuses to pay, the onus is on him. If he has cause not to pay it is for him to give proof.

The other point is that it was said that we sprang this Bill on them. I will say that the Bill has been published since 26th November, 1959—this Bill is two years old..... (*Interruptions.*) Yes, they don't read their Bills. The Member for Ilesha said that this Bill was brought today. That is not so. The Bill says ".....without lawful justification or excuse". I don't think the Q.C. will say that it does not say so.

I therefore beg to move the Second Reading of the Bill.

Chief Odebiyi: I beg to move that the Question be now put.

Question proposed, that the question be now put.

Question put and agreed to.

Original question put.

The House divided.

Ayes: 75; Noes: 43.

AYES: 75

1. Alhaji D. S. Adegbenro
2. Chief A. Adekeye
3. Mr Y. Adekunle
4. Mr S. T. Adelegan
5. Mr I. A. Adelodun
6. Alhaji A. L. Adenekan
7. Mr J. G. Adeniran
8. Mr S. S. A. Adeniya
9. Mr J. O. Adeyemo
10. Chief A. O. Adeyi
11. Mr N. A. Adibi
12. Hon. J. O. Adigun
13. Mr J. E. U. Agbasa
14. Mr E. Aina
15. Mr A. Ajibola
16. Mr L. A. Ajimobi
17. Hon. C. I. Akere
18. Mr S. A. Akerele
19. Mr A. O. Akingboye
20. Chief S. L. Akintola
21. Oba C. D. Akran
22. Mr I. O. Aniyi
23. Hon. E. Anuku
24. Mr R. O. Areola
25. Mr S. B. Aruwajoye
26. Mr B. Ashiru
27. Mr A. Atie
28. Mr C. A. Williams
29. Mr J. O. Awopeju
30. Hon. J. E. Babatola
31. Mr A. A. Babayemi
32. Chief G. A. Deko
33. Mr I. Edeki
34. Mr B. G. Ewah
35. Chief G. E. Ekwejunor-Etchie

36. Mr B. O. Fawehinmi
37. Mr M. A. Fetuga
38. Mr O. O. Gbolahan
39. Mr M. A. Idodo
40. Mr M. O. Ijie
41. Mr J. O. Kehinde
42. Mr N. A. B. Kotoye
43. Mr R. A. Lana
44. Hon. K. S. Y. Momoh
45. Mr B. O. Obisesan
46. Chief J. A. O. Odebiyi
47. Mr J. O. Odigie
48. Mr J. A. Odutuga
49. Hon D. Ogundiran
50. Mr J. A. Ogunmuyiwa
51. Mr Y. Ogunyele
52. Mr B. Ojeniran
53. Mr E. O. Oke
54. Mr S. A. Okeya
55. Mr A. Okusaga
56. Mr B. Olaniyan
57. Mr I. A. Olukoju
58. Mr D. K. Olumofin
59. Mr R. A. Olusa
60. Dr. J. O. Omitowoju
61. Dr. S. D. Onabamiro
62. Mr B. E. O. Osagie
63. Chief J. O. Oshuntokun
64. Mr I. A. Ositelu
65. Hon. J. E. Otobo
66. Mr S. A. Otubanjo
67. Hon. J. O. Oye
68. Mr D. A. Popoola
69. Mr S. A. Sanni
70. Mr A. A. Zuokumor
71. Mr O. Sobande
72. Hon. S. O. Sogbein
73. Chief S. A. Tinubu

Tellers for the Ayes

74. Alhaji Z. A. Opaleye
75. Mr D. Atolagbe.

NOES: 43

1. Mr T. E. Igugu
2. Mr E. O. Imafidon
3. Mr C. O. John
4. Mr J. L. Lawal
5. Mr S. A. Layonu
6. Mr A. O. Obadara
7. Mr D. E. Okumagba
8. Mr P. V. Okwesa
9. Mr O. Olaitan
10. Mr C. O. Olamigoke
11. Mr B. Olowofoyeku
12. Mr J. O. Omokowajo
13. Mr F. Osuhor
14. Mr G. I. Oviasu
15. Mr K. O. Owonikoko
16. Mr S. O. Oyewole
17. Mr A. T. Rerri
18. Mr A. S. Somotan
19. Mr P. K. Tabiowo
20. Chief J. L. Tifase

- 21. Mr F. H. Utomi
- 22. Mr J. O. Abioshun
- 23. Mr O. Adebayo
- 14. Mr K. S. Adebasin
- 25. Mr M. A. Adedigba
- 26. Mr M. A. Adewumi
- 27. Mr A. Adisa
- 28. Mr W. Aghahowa
- 29. Mr J. A. Ajuwon
- 30. Mr S. O. Akerele
- 31. Mr V. I. Amadasun
- 32. Mr E. B. Arowojolu
- 33. Mr A. Atohengbe
- 34. Mr A. B. Bello
- 35. Mr F. Ebubédike
- 36. Mr T. E. Elushade
- 37. Chief J. O. Fadahunsi
- 38. Mr S. L. A. Fajimi
- 39. Mr R. A. Fani-Kayode
- 40. Mr O. Fashola
- 41. Mr J. A. Riemu

Tellers for the Noes

- 42. Chief F. Oputa-Otutu
- 43. Mr R. E. Akinyemi.

Question put and agreed to.

Bill accordingly read a Second time and committed to a Committee of the whole House.

Bill immediately considered in committee.

(In the Committee.)

Chief Oputa Otutu: In view of the fact that there was no notice given of this Bill, I think, Mr Chairman, that you can accept amendments now from the Opposition. *(Interruptions).*

Mr Ighodaro: There is exactly a similar provision in the Federal Law which punishes anybody who without justifiable reason or excuse refuses to pay or incites others to refuse to pay these rates.

Chief Odebiyi: May I also say that the hon. Member for Ife, Ila, Mr Fani-Kayode, was party to this Law when it was made in 1959. He was then a member of our party.

Chief Osuntokun: What exactly do Members of the Opposition want us to do with a man who refuses to pay his water rates or who incites somebody against payment of water rate?

Mr Chairman: The House is in Committee and we should now go through the Bill clause by clause.

Clause 1

Mr Sogbein: Mr Chairman, I have two amendments to make to this clause. The first is that the figure "2" in brackets should be changed to "1".

Amendment proposed.

Amendment put and agreed to.

Mr Sogbein: The second amendment is that the date "1959" should be changed to "1960". The first clause will now therefore read:

"This Law may be cited as the Waterworks (Amendment) (No. 1) Law, 1960."

Amendment proposed.

Amendment put and agreed to.

Question that Clause 1 as amended stand part of the Bill, put and agreed to.

Clause 2 agreed to.

Mr Speaker resumed the Chair.

Bill reported with certain amendments, read the Third time and passed.

THE PREMIERS (PENSIONS) BILL 1960—SECOND READING

Order for Second Reading read.

Chief Odebiyi: Mr Speaker, Sir, I rise to move the Second reading of a Bill to provide for pensions to ex-holders of the office of Premier of the Western Region of Nigeria. I have it in command from His Excellency in accordance with section 26 (2) of the Constitution of Western Nigeria to convey his assent for the presentation of this Bill.

As a result of consultations with other Governments of the Federation—and as far as I know the other Governments of the Federation include the Federal Legislature, the Northern Region Legislature and the Eastern Region Legislature—it has been agreed that ex-holders of the office of Prime Minister and Premier should be entitled to pension. The Legislature of the Northern Region of Nigeria has since enacted a Law which provides that ex-Premiers of that Region shall receive a pension of £1,300 per annum. It is understood that the Federal Government intends to present a similar Bill providing for pensions for ex-Prime Ministers of the Federation. This Bill which provides for the payment of pension of £1,300 per annum to ex-holders of the office of Premier in this Region is therefore brought to enable the agreement reached by all the Governments of the Federation to be put into effect here.

One of the arguments of the Opposition always is that we are fond of contracting out of agreements reached by all the Governments of the Federation. On this occasion, at least, we shall not be accused of not toeing

the line of the other Governments. Pensions for ex-Premiers are provided by many other countries in the world.

The Minister of Health and Social Welfare (Chief Osuntokun): I beg to second:

Question proposed.

The Premier, Chief S. L. Akintola: I do not get up to prevent Members of the Opposition from contributing to this debate, but I must supplement the information the hon. Minister of Finance has already given. May I also dispose of my own personal interest in this matter. This day, I am a Premier; I am not an ex-Premier. (*Laughter from all sides of the House.*)

May I say that this matter is one which has been engaging the attention of various Governments of the Federation for a considerable length of time and in taking up this matter, Premiers are not just singled out without due consideration being given to the generality of members of the various legislatures in this country. It is therefore the intention of the Governments, and a good deal of correspondence has been exchanged between the various Governments on the provision of pension for the ordinary or the general members of the various legislatures in the country. It is being proposed that in accordance with what obtains in Westminster, a provident fund should be established for the members of the various legislatures in the Federation. This will include the Senate as well as the House of Chiefs. General agreements have already been reached and I propose in due course to have the matter thoroughly thrashed by this side of the House and the representatives of the Opposition; that is as soon as I know who is the new generalissimo of the Opposition. I hope it will be conducted under an atmosphere of cordiality. There is cordiality on this side of the House and I hope it will be reciprocated by the other side. This will enable Members to have a provident fund when they have been Members of this honourable House. I think it is worthwhile to mention this at this stage and I do not intend to contradict the statement made by the hon. the Minister of Finance.

I am sure that all Members of the House will support this Bill for the principal reason that anybody may become a Premier. All those who oppose this Bill are those who have no hope of becoming Premier. Mr Speaker, I beg to support.

Chief J. O. Fadahunsi: I have nothing against this Bill (*cheers from Government Benches*).....because of the hopes of the Members raised by the hon. Premier. I

remember as far back as 1957, before we went to the Constitutional Conference, there was a meeting of the Opposition and Leaders of the Government and we decided that this line of action, indicated by the Premier, be taken. It is a thing already agreed as far back as 1957.

But the Government should try to be honest at times.....(*Hon. Members: don't spoil what you have said*)..... When the Government of the Eastern Region proposed something on these lines the Action Group Opposition came out with a strong and vehement opposition.

Mr Adeoye Adisa: I would have liked very much that this Bill be brought up in the interest of the indigent—those who are so poor that they can no longer support themselves. My second point: in the whole Federation today, we have only two ex-Premiers and out of these two one is already appointed Governor-General so that there is only one ex-Premier who is to be retrospectively affected and I think he does not need the money. I also believe that having regard to the fact that there are thousands of citizens in the Western Region who actually earn less than £50 a year it appears sensible that this Government should in future bring a Bill to raise their standard of living. That should have been done and not to bring this Bill to enrich those who are already rich. I believe, Sir, the question of a Provident Fund has been brought in by the Premier in order to encourage back benchers of the Government to give support. I believe, Sir, at the proper place and time when the whole thing must have matured is the time to come here and speak of a Provident Fund. If the Provident Fund is the answer why not bring it in relief of the ex-Premiers? It does not seem to me logical or even constitutional for us here to pass a Bill in which we say that "if the salary as a Member of the Federal House is lower than the amount to be given here.....the pension to be given as pension is....." We do not have that power.

Chief Odebiyi: Mr Speaker, Sir, I do not understand what the member of the NPC is saying. (*Laughter from all sides.*) He is a member of the NPC, the party in power in the Northern Region and the same Bill has been passed by that Region. The hon. Member said we ought to do something to improve the lot of the masses. That is beside the point. A lot has been done by this Government for the masses. I do not see how someone who advocates for the masses would fail to pay his taxes..... (*Government Benches: Shame!*).....(*Mr Adisa: Say it to me outside this House*).....

[CHIEF ODEBIYI]

When this Bill is passed it does not mean that an ex-Premier who does not wish to receive his pay will be forced to do so.

Question put and agreed to.

Bill accordingly read a Second Time and committed to a Committee of the whole House.

Bill immediately considered in Committee.
(In the Committee.)

Clause 1.

Mr Fani-Kayode: Mr Speaker, Sir, I think, in passing this Bill.....(*Government Benches: louder please*).....I cannot afford to buy ear phones for those of my friends who cannot hear.....

The principle of the Bill is agreed upon. It is the money we are asking the Government to reduce. The amount is £1,300. The hon. Member for Ilesha said that it was agreed in principle that something ought to be done for ex-Premiers—if possible to augment their salaries when they become Organizing Secretaries or Leaders of the Opposition.

Mr Chairman: May I call the hon. Member to order. I should like to have comment only on Clause 1 of the Bill.

Clause 1 agreed to.

Clause 2.

Mr Olowofoyeku: Mr Chairman, I rise to move the amendment standing in my name—"That from sub-section (2) the words 'either Legislative House of the Region, be deleted and the words a 'Legislative House' be substituted."

The purpose of this amendment is that although we agreed in principle that if somebody has been the Premier of a Region and is translated somewhere else, maybe by the vicissitudes of politics, it is necessary for him to be given something to keep soul and body together. In the case where such a man finds that he is a Member of the Legislature and by virtue of that he is receiving money from the tax-payers of this country, it is necessary that such money be taken into account when considering the value of his pension; but sub-section (2) as it stands only makes the payment of all ex-Premiers reducible if he becomes a Member of the Legislature of the Region.

If for instance, the Premier of this Region is earning £2,000 as Opposition Leader in the Northern House of Assembly or in the Eastern House of Assembly or the Federal House, he should not be able at the same time to earn this sum of £1,300. This is an

occasion where the pension and the earning of that holder of the office should be taken into account and the only case that has been put in this Bill is not a probable one: that somebody who has been the Premier would again be Member of the same Legislature. I am not talking of possibility, I am only referring to what the Minister of Finance said. But I am saying it is not probable. So, Mr Chairman, I wish that this Amendment be approved.

Chief J. O. Fadahunsi: I beg to second the Amendment.

Amendment proposed.

Chief Odebiyi: Mr Chairman, Sir, the provision in this Bill is exactly the same as the law already passed in the Northern Region. There is the same provision in the Federal legislation. I think, Sir, that Members of the Opposition ought to be consistent. The hon. Member for Ilesha did say that he himself was present when this agreement was reached by all Governments of the Federation and a figure was agreed by all. The hon. Member for Ife Ila was not a Member then. He was part of the House. He was a Member of this side of the House and therefore did not know what happened on the other side. Why should we differ from what has been agreed by all Governments of the Federation? Even in the Northern Region it is £1,300. In the Federation, £1,500. There was even a point raised by some people as to why the figures should not be the same? In the Northern Region it is £1,300, here it is £1,300.

Now, on the question of the possibility of a man having served as Premier before and being a Member of the Regional House of Legislature again, I say, Sir, that the probability is not remote. If a man is too old and he decides that he cannot make the journey from here to Lagos or reside in Lagos, he may want to sit in the Upper House. The possibility, Sir, is we say he is not entitled to this money then because he will be enjoying privileges from two ways and he ought to enjoy only one privilege at the same time. Therefore Mr Chairman Sir, I move that the question be now put. (*Laughter*).

Question proposed.

Question put and agreed to.

Mr Olowofoyeku: I thought Mr Chairman was going to put the amendment to the House.

Amendment put and negatived.

Clause 2 agreed to.

Clause 3 agreed to.

(Mr Speaker resumed the chair.)

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

THE LOAN (INTERNAL BORROWING) Bill, 1960—SECOND READING

Order for second Reading read.

Chief Odebiyi: Mr Speaker, Sir, I beg to move the Second Reading of a Bill for a Law to authorise the raising of loan or loans not exceeding £30,000,000 from the Government of the Federation of Nigeria. I have it in command from His Excellency in accordance with Section 26 (2) of the Constitution of Western Nigeria to convey his recommendation for the consideration of this Bill. As Members may well know, the position is that the raising of loans by any Regional Government from external sources must be done through the Federal Government. This is in view of item 5 of the Exclusive Legislative List contained in Part I of the Schedule to the Constitution of the Federation of Nigeria which reads as follows:

“Borrowing of moneys outside Nigeria for the purposes of the Federation or of any Region other than borrowing by the Government of a Region for a period not exceeding 12 months on the security of any funds or assets of that Government held outside Nigeria.”

As stated in paragraph 22 (10) of the 1960-65 Development Plan presented to this Legislature as Sessional Paper No. 17 of 1959, the total capital expenditure proposed during the current 5-year period is 68.3 million pounds. On the other hand, it is estimated that we shall be able to find from our own internal sources about 39 million pounds to meet the proposed development expenditure. This means that there is a gap of 29 million pounds which must be filled by the raising of loans from external sources. We are hoping, Sir, that more favourable conditions than we can foresee at present will prevail between now and 1965 and that as a result this gap will be appreciably reduced by additional revenue surpluses and by more funds becoming available from Marketing Board trading surpluses. Although it is nothing unusual for a Government to raise loans whether from its own citizens or from outside sources for the purpose of capital expenditure, we can justly be proud of our achievement so far in the field of economic development. During the period 1955-60 we spent almost about 120 million pounds on both recurrent and capital accounts without having recourse to the raising of loans from external sources.

This is an appropriate occasion for me to pay tribute once again to the Western

Region Marketing Board for the wonderful assistance which it has rendered in our development efforts. Up to the end of the financial year 1959-60, Government received grants amounting to £13,000,000 and a loan of £10,000,000 from the Marketing Board. Without this support of the Board many of the social services enjoyed by our people all over the Region might have been delayed.

Coming back to the Bill, I would like to make it clear, Mr Speaker Sir, that the proposed law is an enabling one. The figure of £30,000,000 shown in the Bill is, as I have indicated, the present difference between the likely cost of the gigantic Five Year Development Programme which was launched in April this year and the money which we expect to find from purely Regional sources.

By passing this Bill the House will in fact only be giving me authority to raise loans through the Federal Government and in accordance with the Constitution during the next four years if and when found necessary to do so. Members of the House will observe from Section 4 that any loan raised under the provisions of the law will be applied only to the purpose of meeting expenditure arising from part of the development programme approved by this Legislature.

We can rest assured, Mr Speaker, Sir, that any loans raised for this purpose will be used in the best interests of the people of this Region. Finally, Sir, I should like to remind Members that the public debt of the Region stands only at £11,000,000. £10,000,000 of this represents loans from the finances of the Western Region Marketing Board of this Region; and, as Members know, the finances of the Region are soundly based and efficiently managed and husbanded. (*Cheers from the Government Benches*). There can therefore be no difficulty in servicing any loan or loans which may be raised by this Government. Mr Speaker Sir, I beg to move.

Chief Osuntokun: I beg to second.

Question proposed.

Mr R. E. Akinyemi: Mr Speaker, Sir, we of the Opposition will not oppose this Bill, but we are criticising it for two reasons. Now, if this Bill is passed, £30 million will, or may, be raised as loan for the services of this Region. The anxiety of the Opposition, Mr Speaker is: will this money be used to the best interests of the tax-payers of this Region, or will it be diverted into the pockets of the top notchers of the Action Group so that they can feed fat? Now, Sir, this is the

[MR AKINYEMI]

basis of our criticism, because we have seen that most of the money we are supposed to use for the economic development of this Region had in fact gone into the pockets of some members of the Action Group. Take the Pepsi Cola factory for instance. It is in my constituency and I know what is happening there. At least thirty-two people, who are members of the NCNC, have had their appointments terminated in that place.

Let us again take the Plastics Factory. As everybody knows, the money for the establishment of this factory was got within the Region. Every time these economic development matters come up and these projects are set up, what happens next? They either use the money for their personal ends, or put it somewhere—in the Merchant Bank. We know what happened thereafter.

We are happy that even now the Government of this Region realises that it cannot raise loans externally without the Federal Government.

Now, as I have said earlier, the Opposition does not intend to oppose the Bill, but we want the Government to give us a guarantee that the loan, when raised, shall be used in the best interests of the tax-payers of this Region; that it will not find its way into the pockets of the Action Group, and the money will not be used for flying helicopters around the country.

Mr J.O. Omokowajo: Mr Speaker, Sir, we do not wish to debar this Government from raising loans through the Federal Government. We know that you have incurred so much expenses during the last few months, and we will only warn that the loan, when raised, should be used judiciously.

Mr R. A. Fani-Kayode: It has been said that we are not opposing this Bill, and we are not opposing it at all because we want to give this Government a very long rope with which, we are sure, it will hang itself. We know, Sir, what has happened in the past to the funds which were made available to this Government by the Marketing Board; we know of large sums of money placed by the Boards instituted by this Government in the hands of persons who are party supporters of the Action Group. We know, Sir, of the creation of the National Investment Company in which £5 million of the revenue of this country have been invested. The masses of this community have not yet realised what kind of Government is in power. I have said this on the radio, in the press—and I was not covered by any privilege—and I am repeating it here—that the masses of this country will

soon realise the iniquities being committed by rushing through simple Bills dealing with money in this House, and I tell you, Sir, that little by little they shall misuse their opportunity until such time as the masses of the people shall know the iniquities committed by those to whom they have entrusted the running of the affairs of this Region. Why do we keep quiet? We do this because we know that this Government will cause its own destruction. A lot of things are happening and when the masses find out—that out of the revenue collected in this Region, terrific buildings, twenty-storey buildings are being put up in Lagos—they will know that they have entrusted the affairs of this Region into wrong hands.

I say it is about time the Government stopped this utter disregard for the electorates but if they go on, the electorates will soon know that the confidence bestowed on them has not been rightly placed, and by the Grace of God, Sir, by right, by justice, peace, these people shall soon see that the masses are not complete fools. We have treated them, under this for quite sometime now. Now, you want authority to be able to raise £30 million. You will get it, but we are watching you, and as soon as a penny comes out of it, the people shall hear. If this Bill is passed, we shall be having another £30 million to spend, we shall be having another £30 million to squander—and the day of judgment shall come on these iniquitous people. On that day, Sir, the Bill passed this morning to provide for pensions for Premiers shall be made void.

Chief Odebiyi: Mr Speaker Sir, I was not surprised at what the last speaker had to say; it appears he was just trying to play up to the gallery. Be that as it may, Sir, I must also say that he did not impress anyone in this House that he can be the Leader of the Opposition. We thank God, Sir, that the Party which he says has committed series of omissions is the same Party to which he belonged. We also thank God that the once holy angel on this side of the House has not been seen fit to be appointed Leader of the Opposition because of his politics. We all know this.

Mr Speaker, Sir, it is one more proof that on this side of the House we can find people who, wherever they may be, always assume leadership. (*Opposition Benches: £5,000,000*) (*Interruptions*).

Mr Speaker: Order! Order! Shall we give audience to the hon. the Minister of Finance?

Chief Odebiyi: The Government of the Western Region is not ashamed,—I repeat, the Government of the Western Region is not ashamed—to loan money to any indigenous Company which is doing honest business, and for as long as the Action Group is the Government of this Region, we shall continue to support indigenous business men. (*Hear, Hear*). I happen to know that the hon. the unacclaimed Leader of the Opposition, Member for Ife-Ila, has a big business. If he wants money, let him apply. We will go into how the business is run; we will find out whether it is a profit-making business and if we are satisfied that we can put money in that business, we shall do so. Mr Speaker, Sir, this is not the first occasion that any Government in the world is coming to the rescue or is putting money into private businesses; even the Government of Westminster has, in some cases, pumped money into private business in the United Kingdom. (*Interruptions*). Now, I am giving this assurance that we are satisfied about the security which was given by those businesses referred to. I am even surprised that a learned Member such as the unacclaimed Leader of the Opposition said..... (*interruptions*). I should have thought (I mean he is a lawyer) that a Limited Liability Company is a Limited Liability Company. They are reading their law upside down. We on this side of the House will continue to spend the resources of the Region on profitable projects. The unacclaimed Leader of the Opposition was a party to those things nine years ago. (*No, no*). He was also talking of the Day of Judgment. Incidentally, I happen to know from experience (*What experience?*) that as regards the question of the Day of Judgment, God's Day of Judgment is always much nearer than the electorates' as a result of which he has found himself in the Opposition where he is today. (*Opposition Benches: Federal Elections*). I think, Sir, that Members of the Opposition ought to accept the verdict of the Electorate in the name of conscience, in the name of our Fatherland. The point now made is nothing in that the hon. Member for Ife-Ila made this point during the electioneering campaign and what was the result? The Action Group was returned to power with a greater majority. (*Hear, Hear*).

The hon. Member for Ikeja spoke about (I want to quote his words) our "diversifying" this money into our pockets. For all I know, Sir, the Government of the Western Region will continue to diversify the economy and I think, Sir, there is nothing wrong if a lawyer "diversifies" his own pocket by

being a lawyer, a Member of the House, a bricklayer or anything else for that matter. In any event, I can assure hon. Members that we shall continue in the path of rectitude, buoyant economy, sound planning, which are the hall-mark of the Action Group Government. (*Hear, Hear*).

Chief Akintola: I do not want to enter into any controversy at all; I only want to make an appeal to my hon. Colleagues opposite that they can oppose this Government and do so as vigorously as they can. But may I sound a note of warning that the Government of this Region is the collective responsibility of all of us, and as hon. Members of this House you occupy a position of privilege and I appeal to all of you to exploit that privilege and that is, not to remain on the fence outside and keep on harbouring rumours, founded or unfounded, without making any honest effort at all at getting at the facts. I assure you that this Government has nothing to hide (*Hear, Hear*). If you are in doubt as to whether any security has been given or not, you are welcome in any appropriate office of the Government. (*Hear, Hear*). I am not claiming that we are perfect; I am not claiming that we are Angels but I appeal to you in the name of conscience, in the name of good judgment, in the name of democracy, to try to make an honest effort at getting at the facts. After the facts are known, you may say anything you like. As long as you continue without making any efforts to get at the facts and you keep on hearing rumours, I am afraid you will not be able to serve the electorate as efficiently as would have been expected.

Reference has been made to £5,000,000; reference has been made to various sums of money; references have been made to "Jobs for the Boys". Well, you are perfectly at liberty to express your views. I am speaking to you now in all seriousness. (*An Opposition Member: You are never serious*). Some of us may embrace an ideal and when we find it expedient we may reject that ideal. There are some of us who embrace an ideal and who are determined that as long as life lasts, they are going to pursue that ideal to its logical conclusion. We are all together as Nationalists. Years gone by we complained of the exploitation of this country by foreigners: Syrians, Lebanese, Europeans, who acquired our land; they were doing what we have to do but if we are going to take the place of these Syrians, who are going to do it? (*Interruptions*). I challenge the Opposition people here to come with me to the Federal territory of Lagos; come with me, I will provide transport. Let us go and see what the L.R.D.C. does with the money we have

[CHIEF AKINTOLA] given them. If you are true Nationalists, do not just sit down opposite and condemn what other people have done. But for the Government of the Western Region, no small proportion of the land in the Federal territory of Lagos would have been owned by the Syrians, Lebanese, etc. I assure you that by the Grace of God we shall continue to pursue that policy. (*Hear, hear*). (*Opposition Benches: We are going to stop you*). You cannot stop us; it is only the electorate who can stop us and they have not stopped us. The people of this Region want economic emancipation, not only political emancipation, and we are doing all we can to make them economically free. You provide money for the L.R.D.C. but we do not only assist businesses; we also provide money for other people. On that side of the House there are people who accuse us of discrimination. I am not quite sure they are unanimous on that point. There are people among them who have benefited even alongside. (*Opposition Benches: Who are they?*) This is an hon. House; the individuals concerned have not contradicted me. (*Hear, Hear*). You can afford to indulge in levity in matters that are not important. How does this look if the whole of the land of Lagos happens to belong to Syrians and Lebanese! (*Interruptions*). Some of the money has been invested in Public Corporations. We believe also in encouraging private businesses. (*Hear, Hear*.) The Government of the Federation is also doing precisely what we are doing here. We believe in democratic socialism and the effect of this is that we continue to widen the sea of prosperity in the country, the sea which was extremely narrow in the good old days. Thirty to forty years ago, it was only a small clique of people in Lagos who could afford to send their children to the United Kingdom to study. What happens today? The sons of these privileged few in this House are not happy with us. (*Hear, Hear*).

Many of you accuse us of spending the money of the Region only for the benefit of Action Group members. But your sons and daughters are attending the free primary schools. Your sons and daughters are also getting scholarship awards from the Government of the Western Region.

May I end by sounding a note of warning. Beware of new friends! (*Prolonged laughter from both sides*). May I repeat that you have to beware of new friends. A friend of mine who is opposite accuses us of diverting money into our own pockets. I don't want to mention his name. (*Opposition Benches: Mention it*). If we are all rogues on this

side, if we are all vagabonds, if we are all diverting public money into our pockets, would my hon. Friend, Mr Fani-Kayode, be so honest with you as to show you his own account indicating how much he has accumulated when he was with us. (*Prolonged laughter from both sides*).

I am quite sure that my hon. Friend is not a fool. He is not the type who can be cheated. Let honesty be extended to one another. If you want to have a full account of the five million pounds, as hon. Members of this House, go to the appropriate Ministry, you will get all the facts. When I was on the Opposition Bench, I used to exchange notes. I used to get facts myself. If you ask for information, they will be given to you. If you don't get the facts and you are just hearing rumours, in what respect are you better than those outside? You ask for the facts; let the appropriate Ministry refuse to give you and come here to complain. By the Grace of God, whether you like it or not, we on this side are the accredited representatives of the people of this Region,—whether what we do is pleasant to you or not—if it is pleasant to you, it is jolly good. By the Grace of God, this Government will continue to fight for the advancement of the people of the Region. Whether or not we are making progress, you can judge yourself by counting the number of seats here. As long as you continue indulging in rumours and misunderstandings among yourself—you don't even know who is the next Leader of the Opposition—your number will continue to dwindle.

Question put and agreed to.

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

(In the Committee.)

Clauses 1 to 10 agreed to.

(Mr Speaker resumed the Chair.)

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

Chief Odebiyi: Mr Speaker Sir, in view of the long time which Members spend in debating Bills, it will be necessary to suspend sitting of the House till five o'clock.

Sitting suspended at 2.05 p.m.

Sitting resumed at 5.10 p.m.

THE COUNCIL OF OBAS AND CHIEFS BILL—SECOND READING

Order for Second Reading read.

The Minister of Chieftaincy Affairs (Dr J. O. Omitowoju): Mr Speaker Sir, I rise to move the Second Reading of the Bill for a Law to amend the Council of Obas and Chiefs Law, 1959.

[DR. OMITOWOJU]

The whole object is that it seeks to amend the Council of Obas and Chiefs Law, 1959, and to provide for the appointment of a Chairman and a Deputy Chairman by the Executive Council. Hitherto, the Chairman of the Council has been the President of the House of Chiefs. This is a short and simple Bill.

In the light of experience the choice of the President of the House of Chiefs as the Chairman of the Council of Obas and Chiefs is rather restrictive and increases the responsibility of an already burdened President of this Region's upper House. The choice also precludes the possibility of an experienced Oba or Chief, who may not necessarily be a Member of the House of Chiefs, being appointed as a Chairman.

The Council of Obas and Chiefs as a distinct body was established by Law in 1959. It is not a Committee of the House of Chiefs. It will therefore be in keeping with the policy of this Government in respect of Chieftaincy institutions that not only will the Obas themselves sit in judgment over the conduct and the behaviour of their fellow Obas and Chiefs but also that every Oba or Chief should be given every opportunity to serve, as occasions demand, in places of responsibility within the framework of their institution. It is one more proof of the importance this Government attaches to Chieftaincy matters.

This Bill therefore gives a wider horizon in the choice of a Chairman and also makes provision for the appointment of a Deputy Chairman as well.

Mr Speaker, Sir, I beg to move.

Chief S. A. Tinubu: I beg to second.

Question proposed.

Mr F. O. Osuhor: I rise to say something about this Motion. In the first place I would like to know if the question of chieftaincy in the whole Region has been settled. Why I bring up this question is because in my own area the question of selecting chiefs has not been settled so that it is something that will come first before any other way of treating such matter. My people have written several times and sent several delegations as far as the appointment of chiefs in that area is concerned but the Government appears to turn a deaf ear to all the delegations or the letters and telegrams. I wish that this matter be treated before any other thing is done, Sir.

Mr C. O. Olamigoke: Mr Speaker Sir, I rise to speak on this Bill. It is another way of finding jobs for the Obas or Chiefs who

made themselves campaigners to the Action Groupers. The Obas and Chiefs are Organising Secretaries of the Government in power. (*Shame*).

Mr Speaker: I know that the Akarigbo of Ijebu-Remo is not an Organising Secretary. (*Government Benches: Name them*).

Mr Olamigoke: Some of them put on shorts and go from camp to camp campaigning for the Government in power. Nearly every Oba or Chief with the exception of one or two are servants of the Government.

The Opposition is opposing this Bill because it is another way to find jobs for the Obas and to increase emoluments for the Chairman and Deputy Chairman.

Mr E. O. Imafidon: I rise to speak to this Motion. The Bill, to me personally, is non-controversial, but I have this point to make. The point is that the recognition of Chiefs in the Western Region and the appointment of Chairman and Deputy Chairman, such as is now being proposed, should not be confined only to the Yorubas. It should be noted that there are recognised chiefs in the Midwest and they should be given the opportunity to serve because it is a part of the Western Region—the Western Region does not consist of only the Yoruba tribe and it is essential therefore that all tribes in the Region should be given equal recognition. When the Midwest is created..... (*Government Members: Who will create it?*) The Midwest will be created whether you like it or not.....(*Government Members: When?*).

Dr Omitowoju: The point the hon. Member from Asaba South-West made was in respect of the settling of Chieftaincy problems in his area. If he goes back to his area he can hurry up his Chieftaincy Committee to forward the necessary papers and we shall take the matter up. Our Ministry does not delay anything dealing with the declaration and appointment of Chiefs. If your Chieftaincy Committee cannot find the time to sit down to work hard, I am afraid we cannot help you.

My hon. Friend over there from Okitipupa was mentioning something about jobs for the Obas. I was expecting that he was going to say something like "job for the boys", and I was going to say that he was showing disrespect to that respectable institution. Every Oba has got a definite job to do. The question of making them to be responsible for their own affairs is a way which will give them every responsibility for their own affairs without the commoners

[DR OMITOWOJU]

trying to interfere in their problems; and to say that the Obas are Organising Secretaries—I think we have heard enough of this—is far from the truth. You said this during your campaign meetings, and you should be tired of that yourselves. The Obas are no servants of any Regional Government; neither are they servants of any political party. The House of Chiefs, as it is constituted, is part and parcel of this Region. I am happy that one Member at least has been able to say that this Bill is non-controversial and I shall carry his suggestion to the Government regarding the question of who and who should be appointed Chairman and Deputy Chairman—that is the exclusive work of the Executive Council.

Question put and agreed to.

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

(In the Committee.)

Clauses 1 and 2 agreed to.

(Mr Speaker resumed the Chair.)

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

WHITE PAPER ON THE ESTABLISHMENT OF A UNIVERSITY IN WESTERN NIGERIA

The Minister of Education (Dr S. D. Onabamiro): Mr Speaker, Sir, the Government is tabling before this honourable House a White Paper on the establishment of a University in Western Nigeria.

The subject of Higher Education is one which is practically uncontroversial and so one may sincerely hope that it will be debated in a friendly and co-operative spirit by all sides of this honourable House today.

Seventeen years ago, the Government of Great Britain set up a Commission on Higher Education presided over by the late Sir Walter Elliot to study the needs for University Education in West Africa and make recommendations.

Several members of that Commission sincerely believed at that time that one single University would be adequate for the whole of West Africa and, as a result of the Commission's Report, the University College, Ibadan, was founded twelve years ago. It was, in fact, in opposition to the recommendation of that Commission that the people of Ghana established a separate University College.

Barely ten years after the founding of the University College, Ibadan, that is, in 1958, the Commission's report was seriously out

of date because the College could no longer cope with the requirements of Nigeria alone for, at that time, over 1,200 Nigerians qualified to enter Universities applied to Ibadan for admission, yet only 350 were taken.

The rest had to find places overseas or go without University education. But the majority of those 350 students admitted were from secondary schools in Western Nigeria because facilities for Sixth Form education are more advanced in the Western Region than in other parts of the country. We may therefore, presume that the majority of those 800 and more applicants refused admission were also from the Western Region. Early last year, the Federal Government, realising the serious inadequacy of provisions for Higher Education in Nigeria, set up a Commission on Post-Secondary and Higher Education with Sir Eric Ashby, Master of Clare College, Cambridge, as Chairman. This Commission has recently submitted its Report which contains recommendations of very far reaching nature.

The Commission recommended that the Zaria Branch of the Nigerian College of Arts, Science and Technology should be up-graded to University status; that the Enugu Branch of the College be up-graded to University status linked with the University of Nigeria at Nsukka; and that a new University be founded in Lagos. But then the Commission recommended that the Ibadan Branch of the Nigerian College be merged with the University College, Ibadan.

Now, hon. Members will remember that the Northern Region Government has founded a University Institution of their own recently, the Ahmadu Bello College in Kano, and that the University of Nigeria at Nsukka, founded by the Eastern Region Government, has started its first session. The present position therefore, is that the people of the Northern Region would have a Federal University Institution at Zaria, would have their own Regional University, the Ahmadu Bello College, and continue to enjoy their own quota at the University College, Ibadan. The people of the Eastern Region would have a Federal University Institution at Enugu, would have their own Regional University at Nsukka and also continue to enjoy their own quota at the University College, Ibadan. But the people of the Western Region would no longer have their Branches of the Nigerian College of Arts, Science and Technology at Ibadan; they as yet do not have a Regional University of their own, so can only count on their own quota in the University College, Ibadan.

Mr N. A. B. Kotoye: Mr Speaker, Sir, I want to take this opportunity to congratulate the Government of this Region for bringing this very worthwhile and commendable proposal and I think that all of us hon. Members of this House, Government and Opposition Members will shower congratulations for the commendable measure being taken by this side of the House. The late administration under the incompatible leader of the Action Group, Chief Obafemi Awolowo, has gone down into history for the great advancement it made in the field of education, particularly primary education in this Region; and I think it is only commendable and worthwhile that the successor of that administration should continue the very good work that was started in the old administration. All of us who are associated with the Government in this, I am sure, will be proud one day to be able to say that we too have contributed in some measure to the founding of this University.

At the end of this year about 130,000 boys and girls who are popularly known as "Awolowo children" will be leaving the primary schools of this Region. About 30,000 of this, I am quite sure, will desire secondary school education and I do believe that in some years to come, about 2,000 of this will wish to pursue University education. We are told in the White Paper that in December 1959, the University College of Nigeria, which is a Federal Institution, was to be built to give place to 300 secondary school leavers in Nigeria, and those who like to read the names of candidates who were admitted would see that a little less than forty were of Western Region origin. And only recently too, about 200 or so students—secondary school leavers—were admitted into the University of Nigeria at Nsukka, and from the information at my disposal, over forty of this were children of Western Region origin. Up to two years ago, a greater number of children of Western origin were going overseas to pursue their education. From this analysis, it would be seen that a good number of children today who are in dire need of University education are children from the Western Region.

Very recently the hon. Chief Obafemi Awolowo said—and all of us would have said—that he is an expert on such matters, one of those who in this country can bring good results. If our children—children of Western Region origin—have no opportunity for University education, we shall have to rely on expatriate staff for the work of nation building, and it is for this reason that I have to congratulate the Government for the

tact and initiative which have been used in bringing this commendable measure.

It is good this very year to talk of Nigerianisation, but unless the children are there it is very difficult to Nigerianise the Service. I do hope that the able Minister of Education will not cease in his efforts so that we can be able to say in some years to come, when the graduates of the University of Western Nigeria are produced, that we have done a noble work in the field of higher education.

Mr J. O. Awopeju: Mr Speaker, Sir, this is an occasion where I hope that the Opposition will come to praise Caesar and not to bury him. Now it is a fact that our Government has been giving the cue to others in various fields of endeavour, but in this particular instance I think for a change we are following suit in so far as the North and the East are concerned. We are very grateful to the Government for this endeavour and for trying to redeem the fame of this Region. In the first instance, the Government should be congratulated for the path of progressive evolution which it has always trodden. In the first place, the Government of this Region has given us free education. They have built the primary stage of our educational system and expanded the secondary level, and to crown it all it would be necessary to have a University for this Region, and that is what this Government is doing. Now I know that other Regions are doing it and that is the more reason why they should not grumble to congratulate us. Mr Speaker, Sir, I think that my Friend on the other side of the House will not look at what we do with jaundiced eyes, I think that our good Friend on the other side of the House must see good where good is. Now, we have said that in the Region we have enough secondary schools but we require a University and that merely just shows that we have always been methodical in our ways, (*Interruptions*) and that we have always learnt what the Opposition have failed to know or learnt in the place where they have opportunity to do so, and we have learnt to do the right thing in the methodical way, proceeding from the known to the unknown, from simple to complex, from concrete to abstract, from empiric to rational. We started from primary level and now we are crowning it with a University and I am sure that those who would have had the opportunity of getting themselves graduated as external members of the University could have been more than these if this type of thing had existed in this Region. If they will seize this opportunity, many of them will find themselves in higher

[MR. AWOREJU]: ... places because the harvest is great but the labourers are few. It would be possible to turn out many engineers, doctors, technicians, etc. who would be needed in Nigerianising the Service. Mr Speaker, Sir, I beg to support.

Mr S. A. Oyewole: Mr Speaker, Sir, this question of University of Western Nigeria really, there is nobody who will try to oppose it but *(interruptions from the Government Benches)*. One thing is this: I would like to warn the Government not to allow this to be like that of primary schools because the primary.....*(interruptions from Government benches)*.

Chief Osuntokun: The hon. Member is not competent to speak on Education.

Mr Oyewole: Will you let me talk. Sometime ago, you introduced a certain system into this Western Region and that primary education introduced does not work well at all because all the boys and girls in the schools cannot read; they cannot do anything. I am therefore telling you now that this time you had better take time, get some experts who can work well, get better qualified tutors so that you may not make the same mistake as in the past.

There is not sufficient time to study what is now before us. I can say that is one of the reasons why most of our people are not here now and I would like to say we can know what to say here if we are given sufficient time to study. We are not here to take any examination. It is not like when we go into the examination hall and the examination papers are brought out on the spot. *(Interruptions)*.

The Minister of State (Economic Planning) (Chief E. Anuku): It is a pity that *(interruptions)*-I mean the intellectuals on this side of the House should not allow hon. Members on the other side of the House who cannot analyse A, N and D. They cannot even understand the meaning of "University", even to read for a few minutes, even to digest it. They do not know that 'A' could mean And, 'N' could mean Now, 'D' could mean Dog. It is a pity that the hon. Members of this House who have by mistake been elected to this House cannot understand the meaning of a University in the Western Region. I know many of them who have asked us to help their children to obtain scholarships. If we allow these people to

continue to deceive this Region, things will not work well, and I think that in future, many people will come here to say things that are odious to us in this House.

Mr Okusaga: I think that both sides of this House should congratulate the Minister of Education for making it possible to lay before this House this White Paper within such a short time of his assuming office in the new Government. I know from practical experience how very busy that Ministry is, and the fact that they can produce such a White Paper to create this university within such a short time is something which we all on the floor of this House ought to be grateful for.

The establishment of a university in this Region will be the culmination of the educational programme of the Government of the Action Group during the past eight years. With the establishment of the university, the chain will be complete. With regard to primary school education, there we are leading in the whole of the Federation. Maybe this is not known to a lot of people in this country, especially on the other side; also that the rate of our secondary grammar school expansion has not been equalled in any part of the Federation. In addition to secondary schools we have started technical education on a large scale in this Region with the establishment of a Technical Institute in Ibadan here, and we hope before another year is over to crown it up with a university. I will say, Sir, that what this Government has done in eight years in the field of education, if they had done it in twenty-four years it would still have been praiseworthy.

Another reason why one should feel happy about the establishment of the university is that the circumstances of the birth of this university are auspicious. Nigeria has just achieved independence and other nations are stretching out their arms of friendship to this young nation to help it in several ways, and I have no doubt that a project like the establishment of a university is one that should be welcomed by other nations of the world which are friendly disposed to this nation. Those who are concerned with the planning of this university should do their best to enrich our university with the best that can be got throughout the whole world. We should not imitate any particular nation even though they have developed substantially through their own university structures and as the people on the committee go round, if and when they do so, they should not reject any suggestion from any part of the world that they will help us, without first

WESTERN HOUSE OF ASSEMBLY

WEDNESDAY, 23RD NOVEMBER, 1960

(The House met at 10.15 a.m.)

PRAYERS

(Mr Speaker in the Chair)

ORAL ANSWERS TO QUESTIONS

ROAD

Benin-Ekewan

Mr V. I. Amadasun asked the Minister of Works and Transport to state why in view of its commercial importance the Benin-Ekewan road has not been tarred.

The Parliamentary Secretary to the Minister of Works and Transport (Mr B. Ojeniran): The Government is not unaware of the commercial importance of the Benin-Ekewan Road as well as others in the Midwest area. Therefore.....(Some hon. Members: *We don't understand what you are reading. Can't you read well? Even though you are reading from the paper.*) As I was saying, therefore, the Road will not be forgotten in the road tarring programme of Government in the future.

Mr Speaker: Perhaps it is not clear to new Members in this House that replies to questions have to be read.

Mr Amadasun: Since the Government is not aware of the commercial importance of the Benin-Ekewan Road, is the Government also aware of the historical importance of this road?

Government Benches: Government is not unaware, he said.

Opposition Benches: We couldn't hear him. He is a bad reader.

BUSINESS MOTIONS

Suspension of Standing Order 4 [2]

The Leader of the House (Chief J. A. O. Odebiyi): Mr Speaker Sir, I beg to move that Standing Order 4 (2) be suspended this day to allow the House to continue sitting after 1.00 p.m. if necessary.

The Minister of Lands and Housing (Mr J. O. Adigun): Mr Speaker, Sir, I beg to second.

Question proposed.

Question put and agreed to.

Suspension of Standing Order 41 [1]

Chief Odebiyi: Mr Speaker, Sir, I beg to move that Standing Order 41 (1) be suspended this day in respect of the following Bill:—

Chiefs (Amendment) (No. 2) Bill, 1960

The Minister of Justice (Mr S. O. Ighodaro): I beg to second.

Question proposed.

Question put and agreed to.

Adjournment sine die

Chief Odebiyi: Mr Speaker, Sir, I beg to move that at its rising this day the House shall adjourn *sine die*.

Mr Ighodaro: I beg to second.

Question proposed.

Question put and agreed to.

PRESENTATION OF PUBLIC BILL

The Chiefs (Amendment) (No. 2)

Bill, 1960

Read the First time; ordered for Second Reading immediately.

Second Reading

The Minister of Local Government (Alhaji D. S. Adegbenro): Mr Speaker, Sir, I beg to move the Second Reading of a Bill further to amend the Chiefs Law, 1957.

Hon. Members will remember that in September, a Bill was brought to this House to amend the Chiefs Law, 1957 with a view to transferring the functions in connection with the Chieftaincy matters which were exercised by the Minister of Local Government to the hon. Minister in charge of Chieftaincy matters.

Since the Bill passed through this House, it has not been assented to by His Excellency the Governor of the Region. The Independence Constitution has overtaken the Order-in-Council under which this Bill was passed and it has therefore become necessary to amend the Law which was passed before in order to make sure that it has been passed under the Independence Constitution of 1960.

The Bill which is now being presented to the House will replace the original Bill and will meet the requirements of the Independence Constitution, 1960.

Mr Speaker, Sir, I beg to move.

Chief Odebiyi: I beg to second.

Question proposed.

[MR OGUNDIRAN]

to speak with the prime motive of speaking up to the gallery and adopts in the process unparliamentary language, it is a matter for deep regret that he is not doing credit to the Bar, and I am sure one of the legal luminaries in the country who happens to be on the other side of the House now will be ashamed of his friend's behaviour.

Mr Fani-Kayode: On point of order, Sir. You have already given a ruling on this matter and it is not proper to continue debating this same topic.

Mr Ogundiran: The Bill under consideration was merely designed to effect an amendment to a Bill already passed before independence. Somebody has got up to say that this is not a court of justice. If there is any place where decorum is the first order I should think it is in a court of law. If there are many more like the Member on the Opposition Bench, I am afraid it will be necessary for Government to arrange for medical tests for some Members on that side of the House. This House was the one which passed this Bill and I therefore support it.

Mr A. T. Rerri: Mr Speaker, Sir, I wish to say a few words on this. We are not opposing the Bill as such, but we want to make a point clear—what we are saying is that in future the Government should make it clear that they are going to make a chief responsible for the affairs of the chiefs. I am saying this because we have intelligent chiefs, even chiefs who are more intelligent than some of us here. It will be a most improper thing if from now on the Government continues to make a Minister of State—a commoner like you and like me—responsible for the affairs of the Chiefs.

Mr Speaker: You mean like me and you? *(Laughter)*.

Mr Rerri: Mr Speaker, what I am saying is this—that the time is overdue when the Government should give very serious consideration to the question of leaving the chiefs to decide their affairs themselves. There should not be any interference from anybody. I am saying this so that, maybe, when next the Premier (fortunately he has just come in) is making a reshuffling of his Cabinet, he should make sure that a chief in the Region is made responsible for all chieftaincy affairs in this Region.

The Minister for Midwest Affairs (Mr J. E. Otobo): Mr Speaker, Sir, when I recall that during the past nine years one of the topics which has consistently cropped up

in this House is the question as to whether or not the Government of the day has accorded due recognition to Chiefs in this Region; when I remember that this subject has always formed the backbone of every electioneering campaign; when I remember the good deal of noise made about respect or not to the ex-Alafin of Oyo; when I remember the zeal with which the late hon. Leader of the Opposition, Alhaji Adegoke Adelabu, handled this subject; when I remember all these instances, it does seem to me that the time has come when the Opposition must once again go back and improve on their knowledge of Parliamentary procedure, and secondly, that the Opposition Members should take up the *Hansard* of these past nine years. It may well be, Sir, that some of the new Members who are anxious to make a name have not read previous *Hansards*. *(Cheers from Government Benches)*. If they did, Sir, they would see that the very first election in 1951 was based on this particular question. In 1954 the NCNC made this same question their main electioneering propaganda. In 1955, elections were held on this same issue, the NCNC were defeated; in 1956, elections were held on this same issue they were defeated; the same thing in 1958, the same thing in 1959 and this year. One would have thought that the Western Region electorate have been plain enough on this particular issue. The truth, Sir, is that whereas Members of the Opposition pay lip service to democracy, they do not for one moment respect the wishes of the electorate. Either all of us are going to be returned to this House on the ticket of our successes with the vote of confidence of the masses or we are not coming back to this House, and once the electorate has given its confidence to a particular Party as opposed to the other Party, democracy dictates that this vile means of propaganda, this vile element, should be constantly removed from the debates in this House. May I, Sir, at this stage, point out what is happening in the Eastern Region. I am not doing this because I want to attack the Eastern Region Government; I merely want to point out what the Eastern Region is doing, and that Region is ruled by the Party to which these people belong. The Minister responsible for chieftaincy matters is a commoner *(Hear, hear)* *(Opposition Members: It is a new House of Chiefs)*. They continuously libel this Government for appointing a Minister in charge of Chieftaincy Affairs and these very people in their own Government have a commoner in charge of Chieftaincy affairs. I know the types of Chiefs that exist in this Federation: Ballot Chiefs, Warrant Chiefs,

[MR OTOBO]

Chiefs created overnight. (*Interruptions*). The conclusion to all this, Sir, is this: that we are doing nothing different from what any other Government in the Federation has done, and I think this point should be brought home to Members on the other side.

Secondly, a point which is remotely connected with it: all enthusiastic Members on the other side who are anxious to make a name in this House; who are anxious to be accorded recognition as somebody in the Opposition, will take the trouble to go through the *Hansard* of the previous nine years and they will find that we have done all in our power to build up a tradition in this House.

Alhadji Adegbenro: Mr Speaker, Sir, before I reply to one or two points made by speakers from the opposite side, I would like to say that the first speaker, in his speech, did a grievous damage to the reputation of this honourable House. Under the leadership of the hon. Chief Dennis Osadebay, this House enjoyed good decorum and we have had occasions to laugh and cheer our opponents. He has been able to control Members of the Opposition side and to his credit, and I must say that those of us on this side of the House have the greatest respect for him as Leader of Opposition. Mr Speaker, this morning we witnessed a type of thing which we never saw when Chief Osadebay was here and until things are sorted out and we know who is going to lead the Opposition it is difficult for me to direct my appeal to an individual. I will therefore direct my appeal to older Members of the Opposition and to sañer people among them, though they may be few, not to bring to this House the language employed at electioneering campaigns. I would like to say more on that but, for the time being, I prefer to leave it until we know whoever is going to lead the team.

It is surprising, Mr Speaker, Sir, that a simple Bill of this type which is meant to correct the anomaly of the old Constitution under which we were working before 1st October, to bring it in line with the new Constitution for the country—it is alright for Members of the Opposition to seize that opportunity to criticise Government for doing certain things but I think that criticism ought to be as constructive as possible.

A point was made by the hon. Member for Ikeja South and also my Friend from Western Urhobo that an Oba should be assigned the portfolio for Chieftaincy Affairs. I must thank my Colleague, the hon. Minister for Midwest Affairs for pointing out that in the East the Minister in charge of

Chieftaincy Affairs is a commoner. I would like to add that in this Region as well as in the Northern Region, the two Governments have already established a statutory body known as the Council of Obas and Chiefs (*Hear, hear*) which will be responsible for the discipline and other matters concerning all Chiefs recognised in this Region; we have even gone beyond that, in that minor Chiefs are brought into the ambit of the authority of the Council of Obas and Chiefs, and I may add that today, in the whole of the Federation of Nigeria, the first African Governor in the Federation of Nigeria, and even in Africa, happens to be a distinguished Oba of great dignity whose personality has become a sacred institution in the Federation of Nigeria. It is he who controls the whole Region and I wonder, Sir, what greater compliment this Government can pay to the Chieftaincy institution than to make a chief the Governor of the Region. Perhaps, Mr Speaker, my Friends on the other side are blind to that fact or they deliberately close their eyes to it. I would like to be told by Members on the other side of the House where else in this country an Oba has been made Governor. Members on the other side would agree (*interruptions*) The Constitutional Instruments provide for the powers of the Governor in the Region and also the Governor-General, and it would be interesting even for the purpose of prestige if the other Governments would appoint an Oba as a Governor. Only yesterday, Sir, we were told over the Wireless and even in the Newspapers that a commoner has been made Governor of the Eastern Region (*Hear, Hear*). (*Opposition Benches: Sir Francis Ibiyam*). The new Governor of the Eastern Region, as far as tradition and Chieftaincy institutions are concerned in this country, is a commoner. We will continue to respect and honour those of our people who are elevated to high chieftaincies rather than bow to people who look forward to foreign honours.

Mr Speaker, Sir, all Governments of the Federation of Nigeria subscribed to the Constitutional Instruments which provide for the establishment of Councils of Obas and Chiefs all over the country with a view to advising each Regional Government concerned about the discipline, and so on, of its Chiefs. It is felt that Chiefs should be disciplined by their own colleagues so that Government may feel safe that whatever decision is taken by Government has the backing and support of the Obas and Chiefs.

Members will agree that nowhere in the world has the Opposition any say in the appointment of Ministers of Government. That is a matter entirely at the discretion

[ALHAJI ADEGBENRO]

of the Premier. Now, is the Opposition suggesting that the Premier should reshuffle the Cabinet so as to allow an Oba or a chief to take control of Chieftaincy Affairs?

Mr Speaker Sir, you will remember that the NPC and the NCNC are in coalition in the Federal Government. One would have thought that it is much easier for the coalition Government to appoint an Oba as the President of the Senate. But what do we find? Oba Adele, Mr Speaker Sir, was the Deputy President of the Senate when the new Governor-General, Dr Nnamdi Azikiwe, was President, and one would have thought that it would be an easy matter for Oba Adele to walk safely into the shoes of the former President of the Senate for whom he had acted on so many occasions. But somebody had to be taken from the Western House of Assembly as the President of the Senate. (*Opposition Members: Oba Adele didn't want to be President*). I will say he wanted it very much because on that day, there was a galaxy of women in colourful dresses drumming in the *Iga* in anticipation of the Oba being made President of the Senate but the poor Oba had to go back home grievously wounded.

Mr Speaker, Sir, I need not waste the time of the House. I should like to wind up by saying that this Bill is a simple one to adjust changes in the old Constitution to conform with the new one which became operative on the 1st of October, 1960.

Question proposed.

Question put and agreed to.

Bill accordingly read a Second time and committed to a committee of the whole House.

Bill immediately considered in Committee.

(In the Committee.)

Clauses 1 and 2 agreed to.

(Mr Speaker resumed the Chair.)

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

DECLARATION OF MINORITY AREA IN THE MIDWEST AREA

The Minister for Midwest Affairs (Mr J. E. Otobo): Mr Speaker Sir, I beg to move that this honourable House approve the White Paper for the declaration of the Midwest Minority Council to replace the Midwest Advisory Council as proposed therein and commends the Government for their initiative in this matter.

Hon. Members will recall that in a policy Statement to this House on the 28th of September, 1960 the hon. the Premier announced the intentions of Government in matters of further devolution of political and administrative arrangements for the Midwest, namely, the setting up of a Minority Council and of the adoption of such measures as will be conducive to the effective development and welfare of the Midwest area. The hope of the Premier that a White Paper would be presented in the near future has been fulfilled—one more instance, Mr Speaker Sir, of consistency and efficiency jealously unappreciated by a section of the House. There are three main points in the White Paper to which I would draw the attention of hon. Members. The first, is that a Midwest Minority Council will replace the almost two-year old Midwest Advisory Council, but with the important difference that whereas the latter consisted of nominated members, the Minority Council proposed would consist of legislators drawn from the Minority Area. The Minority Area itself shall comprise all the former administrative divisions in the Benin and Delta Provinces with the exception of Warri Division and Akoko-Oke District of Afenmai Division. The second point is that the Council shall be presided over by the Minister of Midwest Affairs. It is believed that this will ensure that there is the necessary liaison between the Council and the Government.

The third point to be noted is the new executive arrangements to facilitate the functioning of the Minority Council as to the proper discharge of responsibilities of the Minister of Midwest Affairs. These executive arrangements consist in—

(a) the provision of a definite consultative machinery between my Ministry and each of the other Ministries both at headquarters and at the Midwest level; and

(b) the exercise of executive powers in matters of generally local character such as those connected with chieftaincy, communal lands and local government.

By these means, Mr Speaker Sir, it can justifiably be claimed that Midwest legislators would be more informed of the Midwest aspect of Government business. Indeed, for several Members, this will be a sort of universal form of education to appreciate the several development schemes and projects in the Midwest. One other claim is that it will afford a much needed opportunity for Members to participate more actively in shaping the destiny and future of the Midwest people. The importance of this opportunity cannot be over-emphasised.

[MR OTOBÓ]

having regard, Sir, to that section of the parliamentary body from the Midwest to whom such participation in Government would have appeared a remote and almost unattainable chance. If I may be permitted to introduce a personal note, let me say that as one who has consistently and honestly championed the cause of separate State Movements—and I hope even new Opposition Members anxious to make a name will concede me this—I am satisfied that the full implementation of the White Paper will give to the Midwest the next best thing to a Midwest Regional Government.

Indeed, those who are knowledgeable in these matters have stated that we are here embarking on what no other Region has done or is doing for its minority area. We are in fact, in relation to the new states, taking advantage of the only provisions in the Constitution within the competence of our Regional Government. Perhaps I should at this stage, Mr Speaker Sir, quote the relevant provision. The relevant provision is contained in section 73 of the Constitution of Western Nigeria.

“The Governor may declare any area within the Region to be a Minority Area. There shall be a Minority Council for each Minority Area, which shall consist of (a) those members of the House of Representatives of the Federation or of the Western House of Assembly who have been elected as such to represent a constituency all or part of which is within that Minority Area and (b) those members of the House of Chiefs who represent an area all or part of which is within that Minority Area.”

Sub-section (3) makes provision for the functions of the Minority Council. Sub-section (4) makes provision for the selection of persons as members of the Minority Council for a Minority Area.

I wish to emphasise what I said before that we are in fact, in relation to new states, taking advantage of the only provisions in the Constitution within the competence of our Regional Government. The Government does not by this means claim the proposals in the White Paper as a substitute for the creation of a new Midwest Region. Under the constitution this is a matter completely outside the competence of this House. The procedure for the creation of a new Region is set out in sub-sections (3) and (5) of section (4) of the Constitution of the Federation. I wish to refresh Members'

memories concerning the provisions of this section so that they may be well informed when they come to speak on this Motion.

Sub-section (3) of section 4 of the Constitution of the Federation of Nigeria says “Alterations.....(interruption)....Listen Members.....

“Alterations to section 3 of this Constitution for the purpose of establishing new Regions out of other territories shall be effected only in accordance with the following procedure”.

And the procedure laid down relates to proceedings in the House of Representatives. Sub-section (5) says—

“An Act of Parliament passed for the purposes of sub-section (3) of this section or an Act of Parliament passed for the purposes of sub-section (4) of this sectionshall not come into operation unlessa resolution has been passed by each legislative house of at least two Regions...”

Mr Speaker Sir, I have taken the trouble to read this section to show that these matters are within the competence of this honourable House. The questions as to whether or not the minority problem should be regarded as one for the Federation as a whole or as to whether states ought to have been created before Independence which was the view of the Action Group Party and of the Midwest State Movement and as to whether these states would now in fact be created will take a reasonable time under the Constitution. Indeed, I am speaking with the knowledge and confidence of this Region that by setting up the Minority Council and by the implementation of the proposals in the White Paper, our Government shall have discharged, politically, its full role within the scope of our Region's constitutional powers.

Mr Speaker Sir, this Motion on the White Paper is one which can hardly be classed as loaded with controversies. In point of fact, there are no serious points of departure from the hon. the Premier's speech already referred to. The main objective has been to afford this honourable House this opportunity of approving these proposals.(interruptions). On the other hand, the open-handed and direct approach would not, I hope, Mr Speaker Sir, be labelled as blowing our own trumpet. I understand that there are several members on both sides of the House who are almost impatient to see the new proposal put into effect. Let me assure them, Mr Speaker Sir.....(interruptions)....I would not like to embarrass Members on the other side. However, Sir, let me assure them that the delay has been due, among other things, to the absolute

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 necessity to see that due care is exercised in laying the important foundation of the Government of the future Midwest State. I commend the Motion not for the general assent but for the unanimous acclamation of the House.

Mr Speaker Sir, I beg to move.

Alhaji Adegbenro: I beg to second.

Question proposed.

Mr Fani-Kayode: Mr Speaker Sir, we of the Opposition oppose these proposals. I am, Sir, to make a statement on it. We of the Opposition condemn any unqualified chance of setting up the Council with advisory powers for the Midwest. This is not consistent with their stand since 1956 when Government created the Midwest Advisory Council. The old Midwest Advisory Council failed in three ways. First it failed to project the Midwest personality. Secondly, it lacked the much-needed comfort of the populace of the Midwest. Lastly, the advisory nature of the Council, coupled with the scale of consultation, converted the Midwest into a Colony in an Independent Nigeria.

Most Minority Councils are not less advisory.....(Interruptions). Qualified and restricted executive powers here and there cannot impress our parliamentarians. The advisory nature of the Midwest Council is made very clear in paragraphs 9, 10, 11, 12 and 13. Paragraph 9 says "in accordance with.....(Interruption).....the functions of the Council will be mainly advisory". Talking about delegated executive powers, such matters might.....(interruption)..... of the Constitution and operation of Local Government Councils and of the institution of Chieftaincy and traditional authorities in the area. The present era.....(interruption)...restriction will be overtaken by subsequent events in this way with regard to the present proposals as unwarranted dissipation of the political energy of this country. Government is therefore seriously advised to stop such action on this proposal.

In the recommendations of the Henry Willink Commission one of the terms of reference of the Commission is to examine the fears of minorities, whether founded or ill-founded, and to suggest ways of allaying them. This Commission submitted that the creation of an Advisory Council is one way of allaying some of the fears of Midwesterners. The Willink Commission did not say in the light of facts and figures at its disposal

that the Midwest State will not be viable nor did it say that such a State will be viable. A word about the area of authority of the proposed Minority Council—Warri and Akoko-Edo, now called Akoko-Oke. Akoko-Edo, known as such for years and now called Akoko-Oke for very obvious selfish political reasons, has been excluded and put outside the new council area. This is a definite attempt on the part of this Government to destroy and hamstring the proposed new state from its inception; reducing its viability and making it ineffective and innocuous and unprogressive. But during the last election, this Party made the creation of the Midwest State an election issue. In Warri East, the NCNC had 11,200 votes and the Action Group, 10,000. In Warri West, the NCNC had 6,000 and the Action Group, 6,500. On the whole the NCNC had 17,200 and the Action Group 16,500 votes. The figures given are to the nearest hundred of votes. The electorates of Warri Division have therefore voted to be included in the Midwest State.

If the Government had respect for democracy it must consider this time as appropriate as regards the inclusion of Warri Division in the Midwest State. In conclusion we oppose the proposal for the Minority Area and the establishment of a Minority Council in the Midwest pending the Motion to be tabled in the Federal House in the immediate future. (Interruptions).

Mr Speaker: Order, order. Whether or not he is making any point let him have his turn.

Chief Odebiyi: Mr Speaker, Sir, the last speaker has spoken just as a new Leader of the Opposition used to do in the House. I do hope that the other Members of the Opposition will follow the lead which their leader of Opposition will set for them. Be that as it may, I must congratulate him for playing a double role with great credit. (Laughter). The hon. the Leader of the Opposition was a counsel for the Action Group party at the time when the Willink Commission sat at Benin and he had to argue very strongly in a vein which seems to me to have contradicted the stand which he now takes today. (Some hon. Members: Things have changed. The Federal election changed things). Mr Speaker, Sir, Members of the Opposition are opposed—according to them they are opposed—to the divisional functions given to the Midwest Advisory Council. I happen to know that the present Constitution of all the Government of the Federation was drawn up by all the

[CHIEF ODEBIYI]

political parties which were represented at the London Constitutional Conferences. With your permission, Sir; I would like to quote section 73 of the Western Nigeria Constitution:

"The Governor may declare any area within the Region to be a Minority Area." Then in sub-section (3) of section 73 it continues—

"The Minority Council for a Minority Area shall be responsible for advising the Government of the Region." (*Hear, hear, hear*). Mr Speaker, Sir, the hon. the Leader of the Opposition should listen attentively to me if he has not heard me well. I want to read it again for him to hear (*Hear, hear*).

"The Minority Council for a Minority Area shall be responsible for advising the Government of the Region with respect to the development and welfare of that Minority Area and for bringing to the notice of the Government any discrimination against the inhabitants of that Minority Area and shall have such other functions with respect to that Minority Area as may be conferred upon it by any law in force in the Region."

Mr Speaker, Sir, the NCNC Opposition in the West have just made another statement today, namely, that they now want a new state. But it is common knowledge that the only hope that the NCNC has as a party in the Western Region for ever aspiring to becoming the Government of this Region is in the Midwest area of the Western Region. Mr Speaker Sir, I do not like to draw the former leader of the NCNC into this dispute. When Dr the hon. Azikiwe was the leader of the NCNC (*Opposition Benches: His Excellency the Governor-General*) he was opposed to the creation of states as a result of which provincial authorities were set up in the Eastern Region. It is also true that the NPC as a party is opposed to the creation of states and both the Premier of the Northern Region and the Prime Minister of the Federation have said so publicly.

Now we are being told, with the usual NCNC tactics, that very soon a Motion will be tabled in the Federal House (*Opposition Benches: Already, already, already tabled*)..... I can assure you Sir, and the members of the Opposition that if the Motion came to the Federal House, I can speak for the Action Group Opposition in the Federal House that they will support it (*Hear, hear*). I can say that the sooner this is done the better, so that the whole people in the Midwest will

know their true friends. My colleague in the Federal House made a statement sometime ago that if by the 15th November, 1960, no decision had been taken about the position of the Midwest State he would resign (*Shame, shame, shame*) but as far as I know he is still occupying the position of the Federal Minister of Finance without the State being created (*Shame, shame*). Now, Mr Speaker, Sir, somebody from the Opposition Benches said that it was not their intention to create any State either in the North or in the East but only in the West. I wish to ask if the Leader of the Opposition subscribes to that statement. I am even prepared to sit down now for the Leader of the Opposition to answer that question for the information of those in the gallery.

Mr Fani-Kayode: The answer has been included in a statement which I intend to issue later. (*Shame, shame*).

Chief Odebiyi: The position is clear. The NCNC Western Region Branch wants the Midwest State created in the West, which is the smallest unit within the Federation, but they do not want any state created in the East and in the North.

Opposition Benches: But we are not in the East.

Chief Odebiyi: And Sir, I would be a very happy man if this happens because the effect is very simple. It will soon show the death knell of the NCNC as a party in this country (*Hear, hear*) and I will say this, Sir: if the Members of the Opposition are sincere let them make this matter an election issue at any time that they want a Midwest State created in the West but none in the other Regions. The hon. Member for Ikeja South does not require any admonition. I agree that his actions show that he is a new man in this House and I feel that within a few months he will have cooled down. It is just a matter of time. He will change.

The Western Nigeria Government is proceeding to set up this Midwest Minority Council because we feel that in the absence of a state, which we ourselves cannot create alone, there must be a link whereby the people of the Midwest area may make their feelings known to the Government. As it is now, Sir, what we were told during the electioneering campaigns in 1959 was that the Action Group wanted states created as a point of winning the election. But now those who said that are in Lagos and they have not been able to create this Midwest State. Be that as it may, Sir, even if the Western Nigeria Government wants to give the Midwest Minority Council

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executive functions we would be acting *ultra vires* the Constitution because it is here in black and white (*raising up a copy of the Constitution in his hands*) and I happen to know that the hon. the Leader of the Opposition was on this side when this Constitution was drawn up and he took a very active part. Having subscribed to the making of the Constitution which stipulates that the Minority Council shall be advisory (*Shouts of "don't go, come and sit down and hear your reply" as Mr Fani-Kayode rose to go*)....he is now suggesting that the Midwest Advisory Council should not be created.

In conclusion, Sir, I think that it is now common knowledge that for many years the NCNC has fooled the electorate on this States issue and their sincerity will be put to the test if they dare move that Motion in the Federal House.

The Parliamentary Secretary to the Minister of Labour (Mr Odigie): In supporting this Motion I have big words of praise to the Government and questions for the new Leader of the Opposition (*he has gone now*). I want him to be called back so that he can hear what I am saying. First of all, as a Member of the Midwest Advisory Council, when a memorandum was prepared for the Willink Commission we took the new Leader of the Opposition as our own lawyer. I have a public memorandum presented by him (*"Put on your glasses"*). In that memorandum it was declared that the Action Group Government of the Western Region supported the creation of the Midwest and other States in the Federation. Even the Leader of the Opposition as our own lawyer opposed the creation of the Midwest State and stated *inter alia* the following grounds: He said that before the Midwest is created it should constitute the ethnic groups. It should not include any part of Asaba Division. He took from the State the Akoko-Edo and cut off the Warri Division and said that the Asaba Division be transferred to the Eastern Region thereby paralysing the remainder of the Midwest. I am surprised now that he has come here today to say what he has been saying.

I am surprised at the Leader of Opposition for giving a misrepresentation of the actions and intentions of this Government. Now Sir, the NCNC has always misled the people of this Region and this has been made manifest during the last elections. The slogan was that they, the NCNC, were fighting for the people of the Midwest to give them a state. The result

of the last election is manifest that the people of the Midwest have lost faith in the NCNC. We take them with a grain of salt.

The Leader of Opposition was referring to the result of the election in Warri. If you tabulate the result you will find—and indeed everybody is aware—that nearly 50 per cent of the votes in Warri were cast by people of the Eastern Region in Warri, especially the Ibos. Wherever an Ibo man is, he is an NCNCer. There can be no doubt about that. So if there is going to be a plebiscite, it shall be made a condition that any Ibo man who comes from across the Niger shall be disqualified.

The NCNC, in the Midwest, has long hanged itself. In the first place they have constituted themselves into vandals trying anything humanly possible to deceive the public. They invented the juju called Owegbe to convince honest citizens to swear the Owegbe; they organised all sorts of vandals into all sorts of criminal societies. So they are not taken seriously and in fact nobody will take them seriously.

I am a member of the Midwest Advisory Council and that Council is satisfied that the Government has given the people of the Midwest more than their fair share of available amenities. We have lost faith in the NCNC for they will come and give wrong interpretation to the honest intention of this Government, which is a deceit of the highest order.

Rev. I. Edeki: Mr Speaker Sir, I would like to speak as a Midwesterner. In our opinion over there the hopes of the Government of establishing the Midwest Advisory Council have not been disappointed, for the Council during its existence made known to the Government in no unmistakable terms the economic and development needs of the Midwest and anyone who reads the reports of the Council will be impressed with the magnitude of the work done over there by the Government within so short a time. We thank the Government for all these amenities and pray for more especially in the most backward districts of the area. I hope the new Council when it is set up will continue with no less enthusiasm the good work done by its predecessor.

Most Midwesterners advocate the creation of the Midwest State and it should be realised that the Government is not prepared to stultify the aspirations of the people because once upon a time a motion praying the British Government to consider the creation of the State passed through this House but the attitude of the Action Group

[REV. EDEKI]

Government to this thorny question is intelligible and clear, unlike the meaningless equivocations of the NCNC. We know our friends; we know those who want to create the Midwest State. I would like to make certain extracts here to show that the NCNC as a party is just deceiving the people of the Midwest area.

Dr M. I. Okpara, the Eastern Nigeria Premier, held a press conference shortly after his arrival in London on the 4th of May, 1960, where he said among other things that although there were no issues his Government wanted to re-open at the forthcoming (then) Constitutional Conference, after Independence—

“we want to see the country split up into many more small states”.

“The splitting” he said, “will be done to a point of marginal impotence. Our figure is 23, the Old Provinces the British used. The states will be so small that they won't be powerful. Now, they are very powerful—I know I wield some of the power”.

That is what he said and yet these local pundits will say that they are for the creation of the Midwest State.

In another extract on the 9th of May, 1960 the Sardauna also made a statement in London which opposed the creation of more States and on 12th May, 1960, Mr Akinfosile, Federal Minister of Communications, said that if the NCNC should win the forthcoming election to the Western House of Assembly, Provincial Assemblies would be set up.

Mr A. T. Rerri: Order No. 27 (1)—A Member shall not read his speech.

Mr Speaker: It is true that Members should not read their speeches; but they can refer to their notes.

Rev. Edeki: I have proved quite abundantly that the NCNC are the enemies of the proposed Midwest State. One speaker on the other side of the House criticised that the Council did not come into close contact with the people of the Midwest area during its existence. I think that criticism has been based on false premises because the meetings of the Midwest Advisory Council while it has existed was held rotationally and we over there were acquainted with its proceedings, so it is not correct to say that the Council did not come into contact with the people of the area. It represents our interests and we think the Government have enabled us to ventilate the wishes of the

people through the instrumentality of the council.

Finally I hope that when this new Midwest Minority Council is established it will be supported by the people and we shall ventilate our feelings through it.

Mr Otodo: Once again Sir, we have occasion to be plagued by the Opposition in regard to the creation of the Midwest State. It will be recalled that when I left that party I did so because of its inconsistency. *(Interruptions)*.

Before I left for the London Conference of 1958 I made my stand clear to Members of that side that if the NCNC quibbled on the issue of States I would resign from that party. *(Opposition Members: We know why you resigned)*. I am glad, Sir, that today I have left that party because even if I had stayed till today to hear what they have said today, I would have left that party. For how long will the NCNC deceive the Midwest?

In 1957 I specifically mentioned that a Commission should be set up to inquire whether a Midwest State should be created; a COR state created, and a Middle Belt State created. The NCNC widened the whole field and said there should be an Inquiry to allay the fears of the whole minorities.

At the 1958 Conference I told these people to create the State and in any case there was nothing preventing it (and, incidentally, the Action Group was with me, and for once with me at that conference). I decided to be the chief spokesman for all minorities in the Federation. But what did the NCNC do? These same people who said that they had filed the same Motion in the Federal House backed out. The result is what we have today—the only provisions there are in the Constitution—and the Western Region is doing no more and no less than what the NCNC thought was the best solution in the circumstances for the people of the Midwest. When we are implementing what they themselves proposed they come back pleading some alibi for what they themselves proposed.

The first reason these Gentlemen on the other side gave was that the Midwest Minority Council has only advisory powers *(Interruptions)*. Yes, one of the points at which I walked out of the Conference was that in respect of this advisory powers *(Interruptions)*. Then what is the next thing these Opposition Members are telling me? They are now saying that they have listed the Motion in the Federal House.

[MR OTOBO]

Why all the hullabaloo? When the Government made up its mind to set up the Midwest Advisory Council they proceeded to do it and when it made up its mind to set a Minority Council, not only did it proceed, it has taken it up today.

These people have now come out in their true colours. Initially, they claimed to be champions of the Midwest people. I should like to say that they did that at a time when they thought that they could control the Midwest Council, but now that the elections are over, they begin to express fears. That is the truth, Mr Speaker. Another point I have to make is that as far as I am concerned, if it is necessary in order to ensure the creation of the Midwest State for me to resign my Ministerial appointment, and I am called upon by my people to do so, I would gladly do so. As far as I am concerned also, if tomorrow all the Midwest legislators in the Federal House decide to resign their seats in order to have the Midwest State created, I would be prepared to join. This is a challenge, Mr Speaker. They should now make up their mind, and they should stop blackmailing the Midwesterners in regard to this Midwest State. I know that for once the people of the Midwest have learnt their lesson and they have become wiser now. That is the reason why during the last elections NCNC could only get 15 out of the total seats of 30 contested in the Midwest area, and I can assure you, Mr Speaker, that if there were to be another election now the number of seats the NCNC would win would still diminish further.

If you hope (*pointing to Opposition Benches*) that by your tactics you can win the control of the Government of this Region, you are deceiving yourselves. If you also think that by your propaganda you can win the Midwest Area you are also deceiving yourselves. You will not.

I strongly urge the House, Sir, to register their acceptance of this Motion in order to demonstrate the NCNC insincerity in this regard and in order to carry out the policy of Government.

Question put and agreed to.

Mr Speaker: Hon. Members, I am afraid I have to bring the following to your notice. I regret to say that the standard of debate in this House is becoming lower and lower, and I say here and now that I am compelled to use all weapons at my disposal to see that debate gets up to its former

standard. I shall not hesitate at any time from this time onwards to evoke the provision of Order 37, rule 2, which reads as follows:

"Mr Speaker or the Chairman shall order Members whose conduct is grossly disorderly to withdraw immediately from the House....."

And the Sergeant-At-Arms will be ordered to eject him. I sincerely hope that we shall not have cause to use this Order, and I therefore ask for the co-operation of Members of this House.

REVISED EDITION OF LAWS OF WESTERN NIGERIA

The Minister of Justice and Attorney-General [Mr S. O. Ighodaro]: I beg to move:

'That this House do now authorise His Excellency the Governor in accordance with sub-section (3) of section 10 of the Revised Edition of the Laws Law, 1959, to bring into force by Proclamation that part of the Revised Edition of the Laws of Western Nigeria as are comprised in Volumes I to VI which have now been completed and published''.

Mr Speaker, Sir, this is not a controversial Motion. In fact it is a Motion which brings good news to all, especially legal practitioners and their clients.

I have placed the six volumes in front of me so that Members may see what I am speaking about and what has been aptly described as the first of its kind to be undertaken in Nigeria and in the Commonwealth.

Mr Speaker, Sir, I am sure that hon. Members, particularly those connected with the Bar, will recollect that the last revised edition of the Laws of this country was completed in 1948. I am referring to the Brooke Edition of the Laws of Nigeria.

It is needless to remind Members that between 1948 and now, great constitutional changes have taken place.

In 1948, Nigeria was under a unitary Government and remained so until 1954 when by virtue of the Constitutional Order in Council, 1954, existing legislation became divided. Hence there was need to distinguish Regional from Federal Laws according to whether the subject matter of legislation was exclusive, concurrent or residual.

In 1954, in consequence of the Constitution Order, 1954, all enactments which fell within the Exclusive Legislative List and the Concurrent Legislative List were deemed to

[MR IGHODARO]

have been enacted by the Regional Legislature but by an amendment of 1957 those which fell within the Concurrent Legislative List were deemed to be Regional Laws. Finally by an amending Order in Council in 1959 a selected number of the existing Ordinances on concurrent matters were deemed to be Federal Laws.

It was found necessary in 1955 that the many and detailed constitutional changes which have taken place since 1948 called for a number of adaptations and modifications. In some cases, certain laws which had become obsolescent needed to be expunged from the Laws and in other cases where there were *lacunae* in the law some additional laws had to be incorporated.

It was therefore considered a very progressive measure when in 1955 a Commissioner for Law Revision was appointed and the duties assigned to him included—

(1) The Revision of existing Laws in force in the Region on the appointed day, 31st January, 1959.

(2) The adaptation as Regional Laws of Statutes of general application in force in England on 1st January, 1900.

(3) The institution of a system of Law Reports for the Region.

The Commissioner appointed was no less than the distinguished former Chief Justice of Nigeria, Sir John Verity, Knight Bachelor of the Middle Temple, who assumed duties in September 1955. He was assisted in this colossal legal exercise by Mr Fatayi-Williams, M.A., LL.B. (Cambridge), as Deputy Commissioner, of whose skill and experience Sir John made acknowledgement. On Mr Fatayi-Williams' relinquishing the post of Deputy Commissioner, Dr F. A. Ajayi, LL.M., Ph.D. (London), was appointed to succeed him. According to Sir John's testimony Dr Ajayi proved himself peculiarly fitted for work of this nature and during the final stages of the Revision was of the greatest value to the Commission.

The work of the Commission ended in April 1959, thus taking a total period of approximately three and a half years. The total number of volumes involved is seven but only six volumes are coming out into operation now. Volume VII has had to be delayed because a substantial portion of the volume containing the pre-Independence constitutional instruments has had to be replaced by reprints of the Independence Act,

1960, and the Nigeria (Constitution) Order in Council, 1960, all of which came into operation only a few weeks ago. In these volumes of Laws, provision has been made for the Revision by the Commissioner of all the Laws enacted by the Regional Legislature and also all former Nigerian Ordinances having effect as regional laws.

I would however like to draw particular attention to the omission of the Criminal Procedure Ordinance (Laws of Nigeria, 1948, Cap. 43) which is to be replaced by Criminal Procedure Law (now in an advanced stage of drafting) effecting very substantial alterations in such procedure. In this case, the existing law remains in force until it is replaced.

A major and novel departure from the arrangement of the Revised Editions of the Laws of Nigeria, 1948, and of the Federation of Nigeria and Lagos, 1958, which only came into operation on 31st August, 1960, affects the printing of subsidiary legislation.

Says Sir John Verity in his preface—

"After consultations with the Chief Justice of the Region who sought the view of the Judges of the High Court and the Law Officers and with the concurrence of the Minister of Justice it was decided to print all subsidiary legislation made under the authority of any statute immediately following the chapter of the law under which it was made. It is thought that this will ensure more ready reference and facilitate the compilation of manuals or reprints of selected laws or groups of laws for departmental or other use".

There are other significant differences between the methods of revision adopted for the Federal Laws which have just been published and those adopted for the revised edition of the laws of this Region. The revised Federal Laws are intended mainly to be an up-to-date reprint of the existing laws part of which applies to the Federation as a whole, part to the Federal territory of Lagos only, and part for the Regions. Except by the use of different prints for these three different kinds of laws no real attempt seems to have been made to separate the one kind of law from the other, each into composite parts in the Federal revised edition. In this Region, however, what has been done is to produce, among other things, an up-to-date edition only of enactments which have effect as Regional Laws. It has entailed a good deal of skilled research to be able to extract from the general body of enactments applicable to the Region the six volumes which now

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lie on the table of the House. Furthermore, whereas in all parts of Nigeria excepting this Region today, the English Statutes of general application which are in force are those which applied in England on the 1st of January, 1900, the revised edition of the laws of this Region now contains an up-to-date version of these statutes enacted as Regional Laws. In order therefore to know much of English Statute Law as at present applies in this Region, a lawyer no longer needs to look at the Statutes of General Application in England as they existed in 1900. All he needs to do is to look at the relevant portions of this revised edition which contains in all some two dozen laws adapted to local needs from English Statutes of General Application.

Before I close, I would like to pay tribute to the Government Printer, Ibadan, and his staff for their magnificent production. You only need to compare this work with the Federal volumes which were printed by the reputable English firm of Eyre and Spottiswoode in London to agree with this comment.

Mr Speaker, Sir, it is my hope that as this particular edition of the Verity Laws of Western Nigeria goes on its way, it may meet with unqualified success and earn for itself a great reputation.

Chief Odebiyi: I beg to second the Motion.

Mr A. Adisa: Mr Speaker, Sir, we of the Opposition support this Motion. Compilation of this type has been of great interest not only to legal practitioners but to legislators as well as letter-writers. Many of the people on the other side will soon join the class of letter-writers. We want to thank those who have taken part in getting this work done. I know the immense effort which must have been put into this magnificent production. I would also like to come here on occasions and instead of throwing brickbats be able to shower encomiums on certain Members of the other side. I will say this, however, that I do feel that copies should be given to certain Members *gratis*. (*Laughter*). I particularly remember that the old legislators were given the old edition *gratis*. (*Government Benches: You want to evade tax again*). Finally, I do hope that those who will begin to interpret the Law will do so to the best interest of the public.

Mr N. A. B. Kotoye: Mr Speaker, Sir, I want to take this opportunity to join the hon. the Minister of Justice and Attorney-General to thank the people who have contributed to the production of this Revised

Edition of the Laws of Western Region of Nigeria. The nature of this country as a Federation makes it necessary that as you move from Lagos to any part of the country you meet a new set of Laws and a new set of legal practice and those who are in legal practice, letter-writers and others who want to be informed of the situation of Laws in all places would like to see the set of Laws and know exactly what is the nature of Law in the particular area, and it is a good thing that one has been done now which is going to satisfy this much needed legislation in this Region.

I also want to congratulate the Government for embarking upon this venture. As the Minister of Justice has said, this Region is the only one including the Federal Territory which has dispensed with the English Statutes of general application. I think it is not enough that people should say we are independent; we should also show that this Region in the Federation is really independent and this is one clear way of demonstrating that independence.

Finally, I would wish to give this advice to the Government that sufficient copies of this Legislation should be printed. Our experience has always been that it might be difficult to get copies of this legislation in five years time and I also think that this is most regrettable in this country. I want the Government to get sufficient copies which will take account of the needs of the country in about five years or ten years time. It is going to be difficult for lawyers who will be coming into the country within the next few years to find that there are no copies of this Edition to practice with. I had a similar experience when I returned to the country a few years ago. I found it difficult to buy the Law Books and I had to order direct from England. I hope a similar problem will not crop up again.

Mr B. O. Obisesan: I want to align myself with the sentiments expressed by the Chief Whip in congratulating the Government for producing this set of books. This Edition will certainly go a long way to help those people who are coming from England to practise Law; it will be of tremendous help to laymen also. I will now urge the Government to get these copies immediately into circulation. I wish the Western Region Government more grease to their elbow.

Mr A. T. Rerri: Mr Speaker Sir, I rise to demonstrate to Members of the Government Benches that the Opposition's job is not simply to oppose and so I express our appreciation for those who did this piece of

[MR RERRI]

job. It is important that this should be said because some of us, particularly those on the Government Benches, appear to me to be getting away with the idea that the main job of the Opposition is to oppose everything. That is not so. When you present things that are not proper, we oppose it, but this is a good job which we think the hon. the Minister of Justice has done. He has done a good job of work in ordering these publications and we do hope, as my friend on this side has said earlier, that lawyers and legislators alike will be privileged to have copies of these Laws so that they will not be in the dark when the laws of this Region are being discussed.

Mr. Speaker Sir, that is my own contribution.

Mr. Ighodaro: Mr Speaker Sir, I should like to express my appreciation of the sentiments that have been expressed from both sides of the House. The very fact that these books should come into circulation is a good tribute to every legislator who took part in the work of the House between the years 1955 and 1959. These laws will stand as monuments to our intellectual integrity and our contribution to the progress of Western Nigeria.

Mr Speaker, Sir, I am very happy to say that we have many of these volumes ready. We have had three thousand sets printed and, by statistics, I understand that we have enough to cover the next ten years. I know there will be a number of lawyers during the next few years with the commencement of the new School of Law in Lagos and the opening of a Faculty of Laws in this place, but I can assure the House that there will be enough books for all of them.

One hon. Member has said that I should consider the possibility of free distribution of these books. I shall take note of that but I am not in a position to commit the Government right now.

Mr Speaker Sir, I am grateful to the House for their unanimous approval of this Motion.

Question put and agreed to.

COMMISSION OF INQUIRY INTO CHIEFTAINCY DECLARATION

Mr S. O. Akerele: Mr Speaker Sir, I rise to move this Motion standing in my name calling on the West Regional Government to institute a Commission of Inquiry forthwith

into the declaration of the Chieftaincy titles in Ila Orangun and Districts, which was wrongly recommended to the Regional Government by the Ila Chieftaincy Committee, and on which Ila District Council had protested and commented against. The Regional Government, without making due inquiry on the declaration, approved the wrong declaration. These chieftaincies are—the Orangun Ruling House title, Oba of Ila Title, the Obale of Ila title, the Obafa of Ila title, the Obasinkin of Ila title, the Odosin of Ila title, and the Obala of Oke Ila title.

Mr Speaker, Sir, this is a Motion which I am sure will meet the support of so many Members from the other side of the House because it is a motion demanding the rights of some chiefs whom the Minister of Local Government is trying to deprive of their rights and to molest them from their fathers' reign. However, we of this side of the House know that particular Minister as the Minister of Terror or Minister of Dissolution Without Reason. The Minister only registered and approved the wrong recommendation of these ruling houses mainly because the Ila chieftaincy committee comprises Action Group supporters. This made the Minister misuse his power by approving these wrong chieftaincy declarations after strong protest from the different ruling houses and on which the Ila District Council also took action to make their comments according to section 6 (1) Column B of the Chiefs Law, 1957. I see no reason why the Minister should be able to approve and register such ruling houses without exercising his power according to section 6B and section 7 (2) of the Chiefs Law of 1957 to set up a commission of inquiry.

Now, Sir, I start with the geneology of the Orangun Ruling House. Mr Speaker Sir, Ajagunla who came from Ife became the first Orangun of Ila at a place called Igbo Ajagunla in this same Ila. He had only a son called Amota, who became the second Orangun of Ila after the death of his father the Ajagunla Amota became Orangun at Yara. In this same Ila, Amota had two sons, *i.e.*, Arutu senior and Igbonnibi, junior. After the death of Amota, the Senior son according to tradition became the Orangun of Ila. Arutu had children, Ofinni, Adeyemi, Okusu and others. At this stage, the crown held by Amota became the property of two persons, the Arutu Senior and Igbonnibi junior, both of whom were born at Yara in this very Ila. Both Arutu and Igbonnibi and Orangun's followers left Yara for Magbon, and at Magbon things were not easy for them. Orangun Arutu made Ifa Orere in Iron Staff.

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It was predicted that if Ifa Orere touched the ground at any place, there they should stay. There peace and tranquility will reign supreme with them. Orangun Arutu and his people decided to leave Magbon for the present site in this same Ila, but entrusted Ifa Orere with his brother Igbonnibi to carry on their way. Igbonnibi mistakably made the Ifa Orere touch the ground and he did not tell his brother Arutu the Orangun. Igbonnibi told his senior brother Arutu the Orangun that the Ifa Orere had touched the ground by mistake and at this stage Arutu gave the crown to Igbonnibi. He ordered him to go back to stay at the place where the Ifa Orere had touched the ground. He, Arutu, buried himself at Magbon.

Mr Speaker Sir, as I have said previously, the crown left by Amota, became the property of his two brothers. Mr Speaker, Sir, Adeyemi who was descendant of Arutu built the present Town Hall at Ila and it was Orangun Adeyemi, a son to Arutu, who prevented invasion by enemy and for the peace and prosperity of Ila, he did a lot. In order to put this honourable House in the picture, this same chieftaincy committee, in the year 1955, recommended Okomo from Oke Ejigbo and Baba Ebo from Eyindi, *vide* letter No. 1381/2/54 of 30th April, 1955 from the Divisional Office, Ife to these families and by then, they left Arutu and Igbonnibi out. The Council then recommended four ruling houses, Arutu the first son, Igbonnibi the second son, Baba Ebo the third brother, and Okomo the step-son as the fourth ruling house, *vide* Ila District Council's letter No. 44/33 dated 17th December, 1956, addressed to the Permanent Secretary, Ministry of Local Government and Justice, Ibadan. Mr Speaker Orangun Adedapo with his committee sat again on the 18th of March 1957 and also recommended the ruling houses, Arutu, Igbonnibi, Baba Ebo and Okomo. But every citizen of Ila agreed to this, though we all know that Baba Ebo and Okomo all from Igbonnibi ruling house, should be one. After this the Committee sat again and at a meeting on the 5th of December, 1957, presided over by Orangun Adedapo, recommended and took another decision for only two ruling houses, that is, Igbonnibi and Okomo his son. Mr Speaker, the Council then opposed this at the full meeting of the Council of 21st July, 1958. It was item 6 of the Council's minutes. The Council protested through the Local Government Adviser to the Minister of Local Government to conduct a thorough investigation. I see no reason why the

Minister can approve such declaration without proper investigation.

Mr Speaker, Sir, the Obala ruling Houses should be three ruling houses and not one, as the Minister of Local Government has approved. They are Obala Okejigbo, Obala Alase and Obala Ajoronni. With the permission of Mr Speaker, I beg to read the petition written by these ruling houses claiming their rights. I start with Obala-Alase:

"Sir,
Unconstitutional and Unlawful Seizure of Our Rights: Petition Against

"We your humble petitioner hereby submit this petition as protest against injustice of the chieftaincy declaration (Committee), which had upset the vindication of *Justice* to place only themselves on higher post to have facility to oppress others which is out of the present life of *democracy*.

"That our grant Father, Alase by name, had been on the position as the Chief Obala of Ila-Orangun from the inspency, followed the then Orangun from Ife to various places up to the early part of the inter-tribal *war* of the olden days, he possesses many children during his life time.

"That the following persons of his own Father born were also installed after his death thus: (a) Chief Obala Olatunde, (b) Obala Olawoyin and (c) Obala Fayoyin who was installed by the late Orangun Ariyo, with whom he was away to Northern areas during the rigorous retribution of *war* before the said Obala Fayoyin had died the natural death into the hands of his children and relatives.

"That the aforesaid Obala Alase had built a separate house for his first born called Olusi who was firstly awarded minor Chief called Oluṣotun, and from that to Ejemu, now known and called Ejemu's house, his daughter also made a female chief called Olobari, another one made the Chief Esafin Adinaodo, he also made another one to be member of a certain company called *Ikegbe*, now called the Chief Odode today.

"The Obala Fayoyin daughter called Adetinrin having her husband at Alagba's house Okejigbo Quarter Ila Orangun, and produce a female child, after the death of the said Obala Fayoyin, there arose Chieftaincy dispute, but as the said Adetinrin is the senior child, she used her seniority by selecting herself to be the Chief Obala, but she appointed her son and installed him with the consent of other, now known and called Obala Iyanjwura of the present Obala's

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house, that name indicates that he was installed through the influence of his Mother, and no one can deny the name (Iyaniwura).

"That after the death of Iyaniwura, we demanded the post, willing to fix Abifarin our suitable candidate but we were begged to step down for Ogunleye, this apology was accepted through prominent people in the Town that consecutively begging for them by then.

"Furthermore, Ogundiji the said Erinmi also contested after the death of Obala Ogunleye, he strongly opposed the late Obala Oladapo when he was about to be installed, but he was defrauded through their deliterious action.

"The same thing happened when the present Obala Otitoola was fighting for the post, he was strongly opposed by the late Mr Oyefara Aliance Kotobale but he was unsuccessful so he stepped down for the said present Otitoola (Obala) we therefore implore the honourable Council to please kindly consider to the point beared by the circumstances evidence therein this protest and we will be much very obliged should this our protest can be favourably premeditate.

We have the honour to be,

Sir,

We are your Obedient Servant,
(Signed):

Esa Oyinloye,
Gbada Ajide,
Oke Ajagun,
Esinkin Oniyide,
Chief Odode,
Durotoye Aremu,

For and on behalf of our Family."

Mr Speaker, Sir, there are other petitions here which time will not permit me to read.

There is the petition from the people of Ajaoni's House, Ila-Orangun dated 10th January, 1958 and also the people of Obafa Inurin's House, Ila-Orangun dated 4th December, 1957.

Mr Speaker, Sir, my Council, the Ila District Council of which I am the Chairman, after going through the different petitions from the different ruling houses and after finding them to be right and correct history, has advised the Action Group Chieftaincy Committee to do the right thing and put the town into peace. This committee, being that the law had given them a certain power, refused to listen to the advice of the council. The council has to act according to the law and make comment to the Regional Government to set up an inquiry. Many protests

were made through the Local Government Adviser, Oshogbo, to the Ministry. I beg to read some of the letters from the Council and also some letters for the Local Government Adviser, Oshogbo. I beg for the permission of the Speaker to read.

"Sir,

With reference to our petition dated the 22nd day of the month of February, 1957, therein we have protested against the debate and scrutinized and found the genuine fact of it, we respectfully refer the Honourable Council to the aforementioned petition for the favourable consideration of same without fear or favour....."

Mr Speaker: Order, Order! I am afraid, I shall have to interrupt the gentleman speaking. I feel this is a convenient time for a short break.

Sitting suspended at 12.50 p.m.

Sitting resumed at 1.45 p.m.

Mr Speaker: Will the hon. Member for Ila continue his speech.

Mr Akerele: Mr Speaker Sir, I have to continue with my speech and in so doing, I hope the Minister of Local Government or the Minister charged with Chieftaincy Affairs has taken note of all what I have said. (Hon. Members: Continue to read). The Local Government Adviser at Oshogbo wrote back on 7th November, 1958, saying:

"With reference to your letter No. 44/Vol. II/639 of 22nd September, I return herewith your Declarations in respect of the following Chieftaincies:—

- I. Orangun of Ila.
- II. Obala of Ila.
- III. Obafa of Ila.
- IV. Obale of Ila.
- V. Odosin of Ila.
- VI. Obasinkin of Ila.

"2. It is noted that there was no agreement between the Chieftaincy Committee and the Council on the number of ruling houses to be written into each of these Declarations. Consequently you are hereby requested to attempt to get the Chieftaincy Committee and the Council to agree on this point, in order to avoid enquiry under section 21 of the Chiefs' Law, 1957.

(Sgd.) I. M. OKONJO,
Local Government Adviser,
Oshogbo"

Mr Speaker, Sir, yet there was not a Committee of enquiry set up. I do not know why the Minister failed to set up the enquiry.

Mr. Speaker: I am afraid the hon. Gentleman has just one more minute to speak.

Mr Akerele: As I was saying, no enquiry was set. Mr Speaker, Sir, I beg for your permission to read another letter. The letter is dated.....(*Interruptions*).

Mr Speaker: I am afraid your time is up.

Mr F. H. Utomi: Mr Speaker Sir, I quite appreciate the type of work of the Ministry of Local Government. The Ministry of Local Government is the seat of grievances, the seat of complaints and everything for anyone who has confidence in the Government. In other words, it is safe for us to laugh over something which provokes anger.

I appreciate what I was saying when I say that declaration is such a delicate issue which needs wisdom and nice approach, or cultural approach to maintain that sacred tradition by the Ministry of Local Government, by setting up an enquiry. We cannot introduce politics into traditional rights. This does not only happen in that Ministry but the whole of Western Region.

I come now to Asaba Division. In Asaba Division.....(*An hon. Member: Are you a Chief*). I am not a Chief, but my father is a Chief. As I am saying, our sacred tradition is not a playing material. I used to have a high regard for the Ministry of Local Government, but unfortunately the Minister has given the Ministry the opportunity to lower its standard. We advise very strongly that the Minister of Local Government should set up enquiry into some areas to determine what is wrong and what is right. It is wrong just to sit down like that and allow anarchy and chaos to continue.

I appreciate that the work of the Minister of Local Government is very delicate, but I feel he must use his wisdom to make a cultural approach to preserve our traditional institutions.

Question proposed.

Alhaji Adegbenro: Mr Speaker, Sir, I rise to oppose this Motion and in doing so move the following amendment. The amendment is—

that the words beginning from "institute forthwith a Commission of Inquiry into" be deleted and the following words substituted: "note that".
Secondly I move—

that the words following be added after the list of Chieftaincies: "have been

approved and registered under the terms of the Chiefs Law, 1957, and are now deemed to be the customary law regulating succession to these titles and cannot be amended".

In moving this amendment, Mr Speaker, I should like to say that in itself the Motion is meaningless. Not only that, it is a vague attempt to challenge the authority of the Minister of Local Government. The Mover referred to section 5 of the Chiefs Law. He made the point that under this section the Minister of Local Government is obliged to institute a Commission of Enquiry. May I say, Sir, that this is not true; in fact the section referred to is permissive and not obligatory. Therefore, it is for the Minister to use his discretion—if he is satisfied that there is need for a commission of inquiry to be appointed, he would do so on the recommendation of the District Council concerned.

Now, if the Committee makes a declaration in support of a particular title, the Law also provides under the same section that such a declaration, having been prepared by the Committee, can be translated by the Minister of Local Government through the Council; and at this stage I would like to say that the Council has every right to make its own comment for the consideration of the Minister of Local Government. Even in this case the council concerned is the Ife-Ila District Council and the Orangun of Ila is the paramount ruler of Ila; not only that, he is one of the most important Obas in the Region. If this is so, he is the most competent authority to advise on the local custom in that area.

My Friend, the Mover of the Motion, appears to have been grieved because of the appointment of traditional members in this Council. Those he would like to see there are unfortunately not those who are there. Mr Speaker, he has seen me on this question and has explained to me both in private and also in my official capacity, and I have always explained the situation to him that the Ministry cannot change the recommendation of this Committee.

It was this morning when we heard the Opposition saying that commoners are being appointed to handle the affairs of the Chiefs and they vehemently opposed the idea of having a Minister in charge of chieftaincy affairs. Now, they are saying that the Traditional Members should not make recommendations on matters affecting them. May I now ask: when are Members of the Opposition going to be consistent in their politics?

[ALHAJI ADEGBENRO]

The other reason, Sir, is that I hold the view that having received the comments of the Council that they are not competent enough to handle a situation (knowing fully well that they cannot override the decision of the Chieftaincy Committee) then the Minister will use his discretion. I prefer the recommendation of the Chieftaincy Committee to that of the Council and no more no less. Mr Speaker, Sir, I beg to move.

Chief Odebiyi: I beg to second, Mr Speaker.

Amendment proposed.

Mr Fani-Kayode: Mr Speaker, Sir, there are one or two points which the Minister of Local Government has made and which I would like to attack most vehemently. The Minister said that this Motion is an attempt to challenge the authority of his Ministry, and I want to assure the Minister that that exactly is what we are here for. Whenever we believe that any Ministry has gone over and above the powers delegated to it, it is our duty to challenge any such attempt of the Minister to digress from truth and justice. If we don't do that here, our only recourse is the Law Courts which we all know is an expensive and very difficult task under the Chiefs Law passed by this very same Ministry. This Government, Sir, has made it very difficult for justice to be obtained in the Law Courts in Chieftaincy matters (*various interruptions*). That is the reason why the Mover has brought this Motion before the House. We know that this Government will never listen to correction, but it is our duty to ventilate the views of our people here and to register our protest against the wickedness of this Government in general and of this particular Ministry of Local Government in particular, and it is our desire to do this as long as we are here. We shall continue to perform that duty to the best of our efforts.

And secondly, Sir, the Minister said that these trifles should not have been brought here. This goes to show that the Government is inconsistent. Can the Minister refer to any matter concerning tradition as trifles when here is the only place where we can get redress? Of course, Sir, some Members of the Government do not understand the clauses contained in the Chiefs Law, and I am certain if the Members of the Government would refer the Law to the Attorney-General of the Western Region *ipso facto*—I did not say *de jure*—he will advise them that that

Law is one of the most difficult Laws in this country that anyone can challenge in any Court of Law.

I feel that Chiefs are the only people who should be entitled and empowered to decide Chieftaincy matters, but, Sir, so long as we have to deal with an imperfect system, so long as the machinery given to us by this Government—it is a machinery vested in the hands of a commoner—so long must we use that machinery when a Chief is selected from among his own number and vested with executive power, then we shall then know that we shall send a petition to the Chiefs.

Chief Odebiyi: I beg to move that the question be now put.

Question put and agreed to.

Amendment put and agreed to.

Original Question put and negatived.

AGRICULTURAL RESEARCH IN ILA DISTRICT

Mr S. O. Akerele: I beg to move the Motion standing in my name:

“That this honourable House call on the Regional Government to embark on Agricultural Research in Ila District with a view to making full use of the Savanna and the vast forest area in Ila Orangun and District”.

Mr Speaker, Sir, on Ila-Arandun Road, there is savanna land up to about eleven square miles, on Offa-Igosun Road there is savanna land up to ten square miles. On Ila-Ora road, that land that leads to the Boundary of Northern Provinces, there is also savanna land up to fifteen square miles. The thick forest areas are as follows: On Oyi Abalagemo and Oyi Obasinki, there is thick forest with big stoney hills of about sixteen square miles; at Ede Village-Imesi Boundary, there is thick forest with big trees of almost ten square miles.

Mr Speaker: Will the hon. Gentleman direct his speech to me?

Mr N. A. B. Kotoye: On point of order! We are really pained to see this hon. Gentleman reading a petition and he is therefore infringing section 27 (1).

Mr Speaker: I referred to that indirectly by asking the hon. Gentleman to address me instead of addressing the book. (*Laughter*).

Mr Akerele: Mr Speaker, Sir, the Ila District Council mandated me to say that they are ready to give up any area of their land to establish any factory or industries which shall be of good benefit to the people and also to the West Regional Government as a whole. Mr Speaker, Sir, I remember this Government established the Apoje farm in Ijebu Division sometime ago. My people will also be glad to welcome such a project in their area.

Mr Speaker, Sir, I have noticed with keen interest the active steps which this Government has been taking to increase the economic development of this Region by establishing various trades and industries in the Region. But I want to mention here, that Ife Division, ~~of which my constituency forms an important part, appears to have been neglected.~~ It is my ardent hope, Mr Speaker, Sir, that this Government will plan to survey the possibilities of establishing the following industries within this area:

Stone quarrying industry;

Wood-pulp and Paper making Industry;
and

Saw-milling Industry.

It is realised that without adequate sources of raw material and power, no profitable industry can be established. I therefore hope that this Government will think of extending electricity services to Ila-Orangun.

Mr Speaker, Sir, Ila-Orangun was gazetted as a cotton grading station three years ago and it was also gazetted as grading station for cocoa and palm kernels last year. I am proud to say that it does not fail, the grading of all these produce is progressing day in day out. I am sure if any industry or factory or agricultural farm is established it will meet with the support of my people. To wind up, Mr Speaker, Sir, there is no disputing the fact that this West Regional Government is the most progressive in the Federation of Nigeria, but it should take into consideration the Opposition area as fit to get the amenities of progress. I am quite sure that this my well explained Motion will meet the support of the Government without any argument.

Mr Speaker, Sir, I beg to move.

Mr S. A. Layonu: Mr Speaker Sir, I rise to second the Motion. In doing so, I would like to say that this is the year of Independence and a time when we should

care for the backward areas. It will be very necessary for the Government to approve this Motion in that the Government should not only concentrate on already developed areas but on backward areas as well.

Now Mr Speaker, Ila is one of the backward areas in the Western Region and if the Government does not actually pay lip service to the welfare of that area, I hope this is the appropriate time that development projects should be provided in that constituency. I feel that the Government should not say that simply because the Action Group does not exist in Ila, therefore the place should not be developed.

Mr Speaker, Sir, if the Government has ~~the interest of the electorate of Ila at heart,~~ they should pass this Motion, otherwise they should not go back to the place to canvass for votes; otherwise the Ila people will say that we have mandated our accredited representatives to ask Government to develop Ila and still they have refused. That is why I say it is necessary for this Motion to be passed.

Mr Speaker, Sir, the Government of the Western Region should try to practise the theory of equilibrium in the development of Western Region. I must also say that when Government is going to acquire the affected area for development projects, sufficient notice must be given to the farmers who are the owners of such land because I must take this opportunity to inform this House that farmers in this Region are not too happy with the short notice given to them before their land is made use of by Government. The reason is that Government has been depending only on the Gazette as a means of giving notice.

Mr N. A. B. Kotoye: Mr Speaker Sir, on point of order. The issue before the House is one calling for agricultural research in Ila. Certainly it has nothing to do with the acquisition of land. I am referring to Order 27 (2).

Mr Speaker: That objection is upheld.

Mr Layonu: My point, Mr Speaker, is that before agricultural research in Ila is carried out, Government must acquire the land by giving sufficient notice. However, I would like the Government to pass this Motion if the Government has the interest of the people of Ila at heart.

We should thank hon. Akerele for bringing this Motion. He is the Chairman of the Ila District Council and he knows more about Ila than any other Member of this House.

Question proposed.

The Regional Minister in the Ministry of Agriculture and Natural Resources (Mr C. I. Akere): Mr Speaker Sir, I like to move an amendment to this Motion in the following terms:

After the words "That this honourable House", delete all the words following and substitute "commend the Regional Government for the good work it has done by way of its extensive agricultural programmes, the successful effect of which is being felt in all parts of the Western Region including Ila District".

Now Mr Speaker, in proposing this amendment, I should like to call the attention of the Opposition to the programme of the Government in this matter. The Government, Sir, is very conscious of the urgent necessity to pursue an ambitious agricultural policy in the Western Region such as will lead to an expansion and intensification of agricultural lay-out in the Region. No proper land planning system can for ever be pursued without proper inventory of the layout. A layout survey has thus become necessary in the Region and in pursuing this, it is necessary to assess the potential utility of the particular land in the Region. It is therefore obvious that a land survey is a pre-requisite to proper land planning in the Region and the West Regional Government is having this matter well in hand. An application for technical assistance in this matter has been made to the Food and Agricultural Organisation of the United Nations and it is hoped, in the circumstance, that any assistance provided by the F.A.O. in this matter will be a great help. We hope that the assistance coming from the Food and Agricultural Organisation will be utilised to the utmost.

In the case of the Savanna in Ila Orangun, this is not an isolated case. We have much savanna in the Region. There is a small forest area of about one thousand acres in Ila Orangun. The quality of this forest is of very low high forest quality. (*Opposition Members: What do you mean by very low high quality?*) You cannot understand. It is proposed to use this forest area for a plantation of timber trees. That is the plan of the Government for the forest reserve in Ila

Orangun. You will see therefore that the question of savanna is not an isolated case. An F.A.O. Forestry Commission which met in Ibadan last time set up a Working Committee which will look into the proposals of developing savanna areas in the Region and it is hoped that when this working committee reports, the result of such report will be extended throughout the Region and we hope the savanna in Ila Orangun will benefit from the results of the committee. It is the ardent hope of Government to promote agricultural research in the Region. Ila Orangun is one of the areas, and I should like to remind the Opposition that the Western Government is pursuing a policy of a social welfare state and will look into the requests of all areas in the Region and take step to provide amenities that are in the circumstances needed by those areas.

We hope the report of the F.A.O. committee will be utilised to the full and Ila Orangun will get its full share.

I beg to move the amendment.

Chief Odebiyi: I beg to second the amendment.

Amendment proposed.

Amendment put and agreed to.

Original Question, as amended, put and agreed to.

ADJOURNMENT SINE DIE

Motion made and question proposed that the House do now adjourn sine die. (Chief J. A. O. Odebiyi).

Change in Opposition Leadership

Chief Odebiyi: Mr Speaker, Sir, it was only a few days ago that the Leader of the Opposition in this House, Chief Dennis Osadebay, became the President of the Senate in Lagos and as a result of that he had to resign his appointment as a Member of this honourable House.

Those of us who have had the privilege of working hand in hand and intimately with Chief Osadebay will testify to the fact that he is one of the few men in this country who have worked relentlessly and with great decorum and dignity. Chief Osadebay has set a standard in this House, which, with great respect to the Opposition, will be difficult to meet. He never spared the Government whenever he had course to disagree with the Government, but he did so in a language that is sufficient to commend him to anybody in the world. Since I

[CHIEF ODEBIYI]

became the Leader of this House after the Federal Elections, I had course to work hand in hand with Chief Osadebay and I can say that both the Premier and I had to take him into confidence in matters concerning this Region, and he has never let us down.

In wishing him the best of luck in his new assignment, I wish to state, Sir, that the NCNC Opposition have written a letter submitting the name of Mr R. A. Fani-Kayode as their new Leader of the Opposition. (*Cheers*).

We believe, Sir, that the role of the Opposition is to oppose constructively and to make alternative suggestions to the Government. As I said before, Chief Osadebay performed that role very well. I think, Sir, that he enjoyed much respect from both sides of the House. Even, there were occasions when Members of the Opposition felt that he was supporting the Government Bench.

To the new Leader of the Opposition, I can say that we of the Government Bench are prepared to extend the same hands of fellowship to him. May I also say to him that we hope the high standard of decorum which Chief Osadebay maintained when he was here will be maintained. We will not withdraw an iota from the co-operation or privileges that we gave to Chief Osadebay when he was here. The same privileges will be accorded to the new Leader of the Opposition. But I do hope, Sir, that in these matters, both sides of the House will not forget that whether as Members of the Government or as Members of the Opposition, their primary duty is to the electorate of the Western Region.

Mr Fani-Kayode: Mr Speaker, Sir, it was my intention to give a prepared speech for the simple reason that I promised the Government and also the hon. Minister of Finance to express certain matters on the issue of the Midwest whilst that debate was on and when I was challenged to give the views of the Opposition on it.

But before I do anything of the sort, Sir, I must thank the hon. Minister of Finance for his presentation to me. Sir, I have been used to being in the Opposition for quite some time. Being in the Opposition is nothing novel to me. I think I was in the Opposition in the Federal House for the better part of five years and not even our worst enemies then could say that we of the

Opposition did not discharge our duties in the best tradition of the Opposition. Sir, shall continue with the same determination and with the same resourcefulness and sometimes, Sir, the same ruthlessness as is necessary. But, Sir, so long as that Side of the House extends to us the hand of fellowship, so long shall we co-operate with them but so long as they fail to see with our constructive criticisms, so long shall we continue to use our best and complete effort to destroy the act of appropriation and also the Government. Sir, I do not believe that the efforts of the Opposition is confined only to criticisms. The efforts of the Opposition should be made towards the correction and rectification of Government policies and the only way that can be achieved is by the destruction of Government and replacement of power in the hands of the Opposition.

Sir, I may say that the same policy is being followed, and efficiently too, by the Leader of the Opposition in the Federal House. If you will not accord me the same facility and opportunity of constructive criticisms that is due to me, I shall take things upon myself and in the same manner as Chief Obafemi Awolowo took it upon himself.

Sir, we are not playing politics, for the destiny of millions of people in the Western Region is in our hands. Where kid gloves are used by the Government, we shall use kid gloves with them. That is the only way by which the Opposition can survive under any Government.

Sir, in proceeding with my prepared statement, I beg and seek your permission to grant me leave to read it. Now, Sir, I think I have concluded my answer to the Leader of the House. He has stretched out the hand of fellowship to us in this Legislature, and I grasp it so long as we are given the treatment that an Opposition deserves. So long, Sir, as that gesture remains, it will definitely be reciprocal but so long as it is withdrawn, the reciprocity shall be withdrawn.

Now I start my prepared speech.

Mr Speaker, Sir, the Action Group Government.....(*Interruptions*).

Chief Odebiyi: When the hon. Leader of the Opposition told me that he was going to make a speech, I asked him for a copy of his speech so that an appropriate reply might be got ready; he promised to give me a copy, but he has not done so. I feel it is necessary to have a copy of such a speech in advance. (*Interruptions*).

Mr Fani-Kayode: That is all right, Sir. I shall stop my speech at this stage. I did not complete it before getting to this place. I think the Clerk of the House knows that I have just completed it. I shall hand over to the Leader of the House a cyclostyled copy of my speech before the next meeting of the House.

I thank the Leader of the House for his good wishes, and I hope, Sir, that sometime, from that side of the House, I can wish him the same.

Chief Odebiyi: Mr Speaker Sir, I think that I am one of those in life who believe that whatever may be their position in life they should stay in a place, and so I shall die as an Action Grouper. As regards the possibility of ever becoming a Member of the Opposition I can leave that, Sir, to providence and electorates.

Tax Assessment Committees

Mr D. E. Okumagba: Mr Speaker, Sir, I rise to inform this House that the purpose of Income Tax Law and Action Group Tax Assessment Committees is to intensify the oppression and victimisation of political opponents in the Region. When Chief Akintola came to us and started reforming the tax system in this Region we thought there was going to be some relief and a change. He announced that the system of taxation in the Region would be revised, and I for one thought that that was due to the complaints of arbitrary taxation and assessment made by the people of this Region.

Now, when last the Prime Minister of the Federation toured the Western Region, we were hearing over the radio and reading in newspapers that the Premier of the Western Region was in fact begging him not to dissolve the Government of this Region. (*Opposition Benches: Shame, shame.*) Now, if the Premier is anxious that his Government should not be dissolved he..... (*various interruptions*).

Mr J. O. Awopeju: On point of Order, Sir. What we have now before the House is Motion for Adjournment and it appears that the last speaker has digressed from this point by referring to the Premier of the Region. I feel this is irrelevant as far as this Motion is concerned.

Mr Speaker: I would like to point out for the information of Members that any matter could be brought up under the Debate on Adjournment, provided a notice thereof shall have been given, not only to the Speaker, but also to the Minister concerned

and that the Minister is prepared to answer any question that may arise thereon. I have received notice of this Motion and the Minister has agreed to it.

Mr Okumagba: Thank you, Mr Speaker. The point I was trying to make is this—that if the Premier of this Region did not want any interference with his Government, why will the Government not leave an NCNC-controlled council to exercise their rights under the Local Government Law? There is provision under the Law that the Regional Government must ratify what District Councils do in this regard.

If the Premier knows that there should be no interference with his Government and has therefore been begging the Prime Minister not to dissolve the Government, why is it that every time we hear of threats of dissolution of NCNC-controlled Councils? Why can't the Government leave the Warri Urban District Council on its own? Is this democracy? Now if you want to rule because you are in power in the Region, why will the Councils that are controlled by the NCNC not be conceded the right to rule in their own right in the various places? Since I came into this Legislature, I have come to the conclusion that it is very difficult to get the masses in the Region to get very clearly what the Government is doing, and I think the only hope for the Opposition is not to say much here, because from my experience I know this Government will not take any correction which Members of the Opposition may make.

Mr Speaker: The notice of the question before me is about the appointment of Tax Assessment Committees in the Region, but it appears that you are putting in other things that are not relevant.

Mr Okumagba: I take the advice of the Speaker and would only appeal to the Members of the Government that they should reconsider the steps they are taking and allow the recommendations of the NCNC-controlled Councils to operate. We appeal to the Members of the Government to allow the recommendations of the NCNC controlled Council to be approved by the Government (*interruptions*) so that we, the Opposition, may rest assured that you always uphold the recommendations of the Opposition.

Mr Otobo: There are certain things which the Government will have to make clear to the Opposition. Once the hon. Premier announced that there would be a general rate of not less than £1 17s 6d. Also

[MR OTOBO]

Sir, ever since the Premier made this announcement, I am not aware that any Assessment Committees have met, have sat and have properly assessed any NCNC Members. (*Interruptions*). Throughout the Western Region there are outstanding assessments, whether or not they have been paid is another matter. No new assessment has been made.

The next thing, Sir—we will have to go by democracy a bit in this matter—that the hon. Gentleman there said is that he heard over the Radio when the Premier of the Western Region was begging the Prime Minister of the Federation not to dissolve the Western Region Legislature. Well, that is the impression which these people give to the common people. I had it on good authority as a Regional Minister that this Gentleman was going about with the propaganda that they of the NCNC were in control of Assessment Committees in the Region and that the power to appoint them rests with the Federal Government. (*Shame, shame*). That is why they are embarrassed when the Regional Government turns round (*Opposition Benches: You are embarrassed*).....(*interruptions*). He also cited some instances from Warri. Can he deny that Mr Boville (NCNC), Mr Oladeji (NCNC) and some others are Chairmen of various Committees in the place? Why does he not mention them? (*Shame, shame*). May I digress a bit and say straightaway that the Federal Government cannot dissolve this Regional Legislature. And I am sure that the Federal Prime Minister will be shocked to hear that he is associated with such vile propaganda. I have said on the floor of this House that apart from other considerations the Regional Government cannot rely on the NCNC to carry out its task. The NCNC said that there should be no income tax in the Region and if the Government believe that there should be some form of income tax and the Opposition believe that there should be no income tax, it will be dangerous to entrust the tax policy of the Region into their hands. So the conclusion to this is that where there are genuine cases of over-assessment the Regional

Government, through the Assessment Committees, will look into such assessment. We have not heard anything about over-assessment. I want Members of the Opposition to realise that power resides somewhere. The Opposition should realise that under the Law, Assessment Committees are approved by the Regional Government. The Member should have been honest enough to own that in some of the cases, four NCNC Members are Chairmen of Assessment Committees. (*Opposition Benches: You have said that once*).

Mr J. A. Riemu: Mr Speaker, Sir, mine is an appeal and at the same time a statement. Since I have been coming to this House several allegations have been made by this part of the House and, all along, all we have been told is that these allegations have not been substantiated. Today, I can say that I am here with well-substantiated allegations. Well, Mr Speaker, every where in the Region, particularly in my own constituency, Urhobo West II, there are many cases of tax evasion. (*Government Benches: Libel your people*). I am taking every responsibility for this statement (*An hon. Member: And you are not ashamed*). I would not like to go on when you are talking. I would like you to follow every word I utter. When I say that there are cases of tax evasion in my constituency, so it is all over the Region. What I want to tell you straight from here is that the Action Group Membership Card is your licence to evade tax. The last Speaker on this side of the House has made an allegation which is pure and simple. The Members on the other side have got up to refute it.

Chief Odebiyi: I move that the question be now put.

Alhadji Adegbenro: I beg to second.

Question proposed.

Question put and agreed to.

Question, that the House do now adjourn sine die, put and agreed to.

The House accordingly adjourned sine die at 3.10 p.m.

WRITTEN ANSWERS TO QUESTIONS

MAINTENANCE OF ROADS
IN ONDO DIVISION

173/60. Chief A. Adekeye asked the Minister of Works and Transport to state the length of Roads in the Ondo Division which are maintained (a) by the Federal Government and (b) by the Regional Government and Local Councils.

The Minister of Works and Transport (Mr S. O. Sogbein): Eighty-six miles of road are maintained by the Federal Government in Ondo Division and ninety-five and three quarter miles by the Regional Government. It is not possible to say the mileage maintained by the Local Councils since the records are not kept by my Ministry. However, sixty-eight miles of road attract Government grants-in-aid in Ondo Division.

CLASSIFICATION OF ROADS

174/60. Chief A. Adekeye asked the Minister of Works and Transport to state what the consideration are for classifying roads as Trunk A, or B, or C:

The Minister of Works and Transport: I would first like to point out that there is nothing like Trunk "C".

The classification of trunk roads in the past has been based on the following considerations:—

Trunk A roads are those linking Regions or linking Nigeria with adjoining countries. Trunk B roads are those linking Provincial Headquarters.

A committee, is, however, now reviewing the whole question of road classification.

PRIVATE MEDICAL PRACTITIONERS IN THE REGION

178/60. Chief A. Adekeye asked the Minister of Health and Social Welfare how many private Medical Practitioners are in the Region and to state their respective places of practice.

List of Private Hospitals in Western Region

Name of Hospital	Town in which located	Agency or Proprietor	Postal Address
1. The Clinic (Maternity Home)	Ijebu-Ode...	Dr E. S. O. Pratt ...	The Clinic, Ijebu-Ode
2. Ankuri Nursing Home	... Agege ...	Dr O. O. Sofunke ...	P.O. Box 163, Agege
3. Cowan Estate Hospital	... Ajagbodudu	U.A.C. ...	Cowan Estate Hospita Ajagbodudu.
4. U.A.C. Hospital	... Burutu ...	U.A.C. ...	U.A.C. Hospital, Niger River Transport, Burutu.
5. Alafia Hospital	... Ibadan ...	Dr Agbaje ...	P.O. Box 542, Ibadan
6. Oke-Ado Hospital	... Ibadan ...	Dr T. O. Oruwariye	P.O. Box 591, Ibadan
7. Mokola Hospital	... Ibadan ...	Dr (Mrs) Ighodaro...	P.O. Box 931, Ibadan
8. Joan's Hospital	... Ibadan ...	Dr Lawson...	P.O. Box 435, Ibadan
9. Olajubu Nursing Home	... Ibadan ...	Dr T. Alade Doherty	P.O. Box 579, Ibadan
10. Omowumi Nursing Home	... Ibadan ...	Dr F. A. Awobodu...	Omowumi Nursing Home P.O. Box 718, Ibadan.
11. Oshodi Hospital	... Ibadan ...	Dr S. Mbanefo ...	P.O. Box 829, Ibadan
12. Northumbria Nursing Home	Igbobi ...	Dr K. M. Wood ...	P.M.B. 2124, General Post Office, Lagos.
13. Akindehinde Nursing Home	Ikorodu ...	Dr Akindehinde ...	Akindehinde Nursing Home, Ikorodu.
14. A. T. and P. Clinic	... Sapele ...	A. T. and P. (Nigeria) Limited.	African Timber and Ply- wood (Nigeria) Limited, Sapele.
15. Esiri Infirmary Hospital	... Warri ...	Dr O. Esiri ...	P. O. Box 36, Warri
16. Zuma Memorial Hospital, Irrua.	... Irrua ...	Okojie ...	Zuma Memorial Hospital

PRIVATE NURSING SISTERS AND MIDWIVES IN THE REGION

179/60. Chief A. Adekeye asked the Minister of Health and Social Welfare to state the number of qualified Nursing Sisters and qualified Midwives who have their own Private Nursing Homes and Maternity Clinics in the Region and at what various places they are located.

Answer—

<i>Name of Maternity</i>	<i>Town in which located</i>	<i>Agency or Proprietress</i>
1. Oransaye Maternity Home	Benin City	Mrs C. A. Oransaye
2. Edo Maternity Home	Benin City	Mrs E. O. Ogbe
3. Idahosa Maternity Home	Benin City	Mrs B. O. Idahosa
4. Okojie Welfare Centre	Ughoha	Mrs Okojie
5. Abebe's Maternity Home...	Irhuekpen	Mrs Victoria Abebe
6. Makanjuola Maternity Home	Odi-Olowo	Mrs B. Makanjuola
7. Oshodi Maternity Home	Oshodi...	Mrs C. Renner-Lewis
8. Igbobi Maternity Home	Mushin	Mrs F. O. Kuti
9. Lucky Maternity Home	Shomolu	Mrs N. Nwankwere
10. Coker Maternity Home	Shomolu	Mrs M. Coker
11. Mercy Maternity Home	Warri	Mrs A. Anyaegbunam
12. Jericho Maternity Home	Warri	Mrs F. B. Egbe
13. Urhobo Maternity Home	Warri	Mrs V. D. Owe
14. Mrs Williams Maternity Centre	Warri	Mrs O. Nelson Williams
15. Aremo Nursing Home	Ibadan...	Mrs C. B. Adubifa
16. All Saints Maternity Home	Ibadan...	Mrs C. A. Oyesola
17. Fesogboye Maternity Home	Ibadan...	Mrs W. Sofunke
18. Alafia Maternity Home	Ede	Miss E. A. Adekoye
19. Blissful Maternity Home	Warri	Mrs P. R. Knox
20. Olusola's Maternity Home	Iperu	Mrs Olusola
21. Broadway Maternity Home	Shagamu	Miss Ogunlesi
22. Ifelodun Maternity Home	Shagamu	Mrs V. S. Shonubi
23. Comfort Maternity Home	Ondo	Mrs I. Daramola
24. Julia Maternity Home	Ilesha	Mrs J. N. Onafuwa
25. Tikatore Maternity Clinic	Ilesha	Mrs I. Durojaiye
26. Abiye Maternity Clinic	Ibadan...	Mrs M. Oyegunna
27. Olaojuba Nursing Home	Ibadan...	Mrs O. Doherty
28. Mrs Okoli's Maternity Home	Araromi	Mrs M. Okoli
29. Olumoroti Maternity Home	Ilesha	Mrs C. A. Agunbiade
30. Good Hope Maternity Home	Mushin	Mrs M. M. V. Anugo
31. Temidayo Maternity Home	Akure	Mrs C. A. Ajayi
32. Safeway Maternity Home	Agbor	Mrs R. N. Ehiemenonye
33. St Anthony's Maternity Home	Agbor	Mrs C. O. Egbe

DENTIST IN THE AKURE GENERAL HOSPITAL

180/60. Chief A. Adekeye asked the Minister of Health and Social Welfare whether he will consider the advisability of posting a Dentist to the Akure General Hospital for the convenience of the people of Ondo Province.

The Minister of Health and Social Welfare (Chief J. O. Osuntokun): As

soon as staff position improves a Dental Surgeon will be posted to the Dental Centre, Akure. The Dental Centre, Akure is fully equipped and had been in full dental operation until January this year when it was temporarily closed because the Dental Surgeon in charge went on vacation leave.

The Centre, however, is toured regularly by the Dental Surgeon at Oshogbo.

[CHIEF OSUNTOKUN]

Relevant Information:

(a) The Dental Centre, Akure was opened in 1956.

(b) On 21st September, 1956 the Surgery was moved from its temporary building into a more permanent clinic.

(c) On 2nd August, 1957 it was temporarily closed: Surgeon-in-charge went on vacation leave.

(d) On 26th March, 1958 it was reopened and has remained so until January 1960.

(e) The Dental Surgeon-in-charge has returned from vacation leave but is now based at Oshogbo.

RURAL HEALTH CENTRES

181/60. Chief A. Adekeye asked the

Minister of Health and Social Welfare to state the number of Rural Health Centres which are now being maintained by the Government of the Region and to state where they are located.

Chief Osuntokun: At present, four Rural Health Centres are being maintained by the Regional Government. They are located at Auchi, Ughelli, Ilaro and Ikorodu. One Rural Health Centre is due to open very shortly at Igbo-Ora (Ibarapa District Council). Ten other Rural Health Centres are in various stages of construction. These are located at Meko (Egbado Division), Igarra (Afenmai Division), Ejirin (Epe Division), Oleh (Western Ijaw Division), Ikire (Oshun Division), Oyan (Oshun Division), Ishara (Remo Division), Aramoko (Ekiti Division), Araromi-Obu (Ondo Division) and Imesi-Ile (Ilesha Division).

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to Western House of Assembly Debates

(Omnibus Issue No. 24)

ABBREVIATIONS:

1R = First Reading; 2R = Second Reading;
3R = Third Reading; Com = Committee;
Rep = Report; Am = Amendment;
M = Motion; Q = Question.

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