



EASTERN NIGERIA

# PARLIAMENTARY DEBATES

**EASTERN HOUSE OF ASSEMBLY**

**OFFICIAL REPORT**

**FOURTH SESSION (1960-61)**

THIRD MEETING

*8th to 10th November, 1960*



## EASTERN NIGERIA GOVERNMENT

(Formed by Dr the hon. M. I. Okpara, December, 1959)

### MEMBERS OF THE EXECUTIVE COUNCIL

- PREMIER—Dr the hon. M. I. Okpara.
- MINISTER OF INTERNAL AFFAIRS—Hon. I. U. Akpabio.
- MINISTER OF FINANCE—Dr the hon. S. E. Imoke.
- MINISTER OF TOWN PLANNING—Hon. E. Emole.
- MINISTER OF WORKS—Hon. P. O. Ururuka.
- MINISTER OF INFORMATION—Hon. B. C. Okwu.
- MINISTER OF COMMERCE—Hon. J. U. Nwodo.
- MINISTER OF LOCAL GOVERNMENT—Hon. P. O. Nwoga.
- MINISTER OF EDUCATION—Hon. G. E. Okeke.
- MINISTER OF HEALTH—Hon. E. P. Okoya.
- MINISTER OF STATE CHARGED WITH RESPONSIBILITY FOR ESTABLISHMENT AND CHIEFTAINCY MATTERS—Hon. O. U. Affiah.
- MINISTER OF JUSTICE AND ATTORNEY-GENERAL—Hon. M. O. Ajegbo.
- MINISTER OF AGRICULTURE—Hon. P. N. Okeke.
- MINISTER OF ECONOMIC PLANNING—Dr the hon. A. N. Obonna.
- MINISTER WITHOUT PORTFOLIO—Chief the hon. D. Jaja, the Amanyanabo of Opobo.

### PROVINCIAL COMMISSIONERS

|                               |     |     |     |     |                         |
|-------------------------------|-----|-----|-----|-----|-------------------------|
| Hon. R. O. Iwuagwu            | ... | ... | ... | ... | Onitsha Province.       |
| Hon. E. A. Chime              | ... | ... | ... | ... | Enugu Province.         |
| Chief the hon. A. N. Onyiuke  | ... | ... | ... | ... | Umuahia Province.       |
| Hon. M. E. Ogon               | ... | ... | ... | ... | Ogoja Province.         |
| Chief the hon. J. H. E. Nwuke | ... | ... | ... | ... | Port Harcourt Province. |
| Hon. P. A. Onwe               | ... | ... | ... | ... | Abakaliki Province.     |
| Hon. N. L. P. Apreala         | ... | ... | ... | ... | Yenagoa Province.       |
| Hon. E. Chidolue              | ... | ... | ... | ... | Annang Province.        |
| Hon. C. A. Okafor             | ... | ... | ... | ... | Degema Province.        |
| Hon. E. W. Udonkim            | ... | ... | ... | ... | Calabar Province.       |
| Hon. H. U. Akpabio            | ... | ... | ... | ... | Uyo Province.           |
| Chief the hon. S. E. Onukogu  | ... | ... | ... | ... | Owerri Province.        |

### OFFICE OF THE PREMIER AND MINISTRIES OF GOVERNMENT

#### Premier's Office:—

Premier: Dr the hon. M. I. Okpara.

Minister of State: Hon. O. U. Affiah.

Parliamentary Secretaries: Hon. J. O. Umlu; Hon. S. N. Alo.

**Ministry of Town Planning:—**

Minister: Hon. E. Emole.

Parliamentary Secretary: Hon. D. O. Aligwekwe.

**Ministry of Information:—**

Minister: Hon. B. C. Okwu.

Parliamentary Secretary: Hon. S. O. Masi.

**Ministry of Works:—**

Minister: Hon. P. O. Ururuka.

Parliamentary Secretary: Hon. D. O. Nnamani.

**Ministry of Commerce:—**

Minister: Hon. J. U. Nwodo.

Parliamentary Secretary: Hon. K. Kiri.

**Ministry of Local Government:—**

Minister: Hon. P. O. Nwoga.

Parliamentary Secretary: Hon. P. U. Amaefunah.

**Ministry of Education:—**

Minister: Hon. G. E. Okeke.

Parliamentary Secretary: Hon. D. S. A. Agim.

**Ministry of Health:—**

Minister: Hon. E. P. Okoya.

Parliamentary Secretary: Hon. M. U. Obayi.

**Ministry of Justice:—**

Attorney-General: Hon. M. O. Ajegbo.

Parliamentary Secretary: Hon. D. A. Nnaji.

**Ministry of Agriculture:—**

Minister: Hon. P. N. Okeke.

Parliamentary Secretary: Hon. R. O. Anoke.

**Ministry of Economic Planning:—**

Minister: Dr the hon. A. N. Obonna.

Parliamentary Secretary: Hon. L. O. Uzoigwe.

**PRINCIPAL OFFICERS AND OFFICIALS**

The Speaker: Hon. D. E. Okereke.

The Leader of the House: Dr the hon. S. E. Imoke.

Leader of the Opposition: Hon. S. G. Ikoku.

Government Chief Whip: Hon. G. C. Okeya.

Deputy Speaker: Hon. C. A. Abangwu.

Government Whips: Hon. W. Abengowe; Hon. K. J. N. Okpokam.

Clerk of the Legislature: Mr A. E. Eronini, I.S.O., M.B.E.

First Clerk-Assistant: Mr L. O. Okoro.

Second Clerks-Assistant: Mr R. C. Oyedu; Mr V. C. Anigekwu.

Editor, Official Report (*Hansard*): Mr S. B. C. Melifonwu.

Assistant Editor, Official Report (*Hansard*): (Vacant).

Secretary-Typist: Mr J. A. Okoh.

Serjeant-at-Arms: Mr B. O. Ajumogobia.

EASTERN HOUSE OF ASSEMBLY

*Tuesday, 8th November, 1960*

*The House met at 10 o'clock a.m.*

**PRAYERS**

(Mr Speaker *in the Chair*)

**ANNOUNCEMENT BY MR SPEAKER**

**Mr Speaker:** Hon. Members, as you are aware, we recently had three distinguished guests from the House of Lords and the House of Commons as representatives of the United Kingdom Branch of the Commonwealth Parliamentary Association who at our request came out to make a formal presentation of the Mace for the House of Assembly. They also carried out an assignment from their Branch of the Association of presenting on behalf of that Branch a specially inscribed copy of *Erskine May's Parliamentary Practice* to the House of Chiefs, and an Hour-Glass to the House of Assembly. These noble visitors left Enugu on the 11th of October, 1960, and before their departure they jointly addressed the following letter to me as Speaker:—

“Dear Mr Speaker,

We wish to thank you most sincerely for your kindness to us, and to express our gratitude for a most moving and enjoyable experience.

We can well imagine the care and trouble that must have been expended in planning ceremonies that were supremely successful.

May your House, and you, Mr Speaker, continue to flourish, and to practise, with the skill and success that we have already witnessed, the Parliamentary procedure and traditions of which your Parliament and ours are the joint inheritors.

We thank you again.

Yours sincerely,

*Signed:* Godfrey Nicholson  
Elliot of Harwood  
Carol Johnson.”

The delegation also addressed the following letter to the Clerk of the Legislature:—

“Dear Mr Eronini,

Parliamentary procedure, and we can only condole with the Legislature at your impending retirement.

As Parliamentarians we are in a position to appreciate the burden that you, and the officials of the House, have carried, and to admire your unruffled calm and skill. We trust that the manifest success of the Celebrations affords you the satisfaction to which you are entitled.

We are very much in your debt and our gratitude is deep and genuine.

Yours very sincerely,

*Signed:* Godfrey Nicholson  
Elliot of Harwood  
Carol Johnson.”

When the delegation arrived back in Westminster and reported their experience to the home Branch, the Executive of the Branch directed the following letter to be addressed to the Clerk of this Legislature:—

“Dear Mr Eronini,

In the normal course of events I should have waited until the return to the United Kingdom of all three delegates but as I have had letters from Sir Godfrey, who as you know is in Africa for some while yet, and from Lady Elliot, and as I have just had a long talk with Mr Carol Johnson, I shall make this letter, if I may, the vehicle of our thanks.

Will you therefore, on the first convenient occasion, please convey from my Executive to the Members and Officers of the Eastern Nigeria Branch a message of sincere thanks and heartfelt appreciation for the magnificent reception given to our delegates during their recent visit to Enugu. As their speeches and letters have already made plain, the courtesy, friendliness and generosity of their welcome exceeded all their expectations. They are unlikely ever to experience anything comparable.

Events of this kind do not just happen, and all three delegates have commented ad-

execution of this programme the warmest thanks of the three delegates and of my Committee. They could not be more grateful.

Finally, Augustus, my warmest thanks to you for all that you have done to make our exchange of correspondence over several months so enjoyable and fruitful. You have reason to feel self-satisfied, but I know you won't.

With kind regards and all good wishes.

Yours sincerely,  
*Signed :* R. V. Vanderfelt.  
Secretary."

I am sure hon. Members will wish that a suitable reply be sent acknowledging these letters and reciprocating the good wishes they convey.

**Hon Members :** Aye.

### PAPERS

#### Presented:

- (i) The Draft Supplementary Estimates of Eastern Nigeria (including Memorandum), November 1960. (*The Minister of Finance, Dr S. E. Imoke*).
- (ii) The Audited Annual Financial Statement of the Eastern Region Scholarship Fund 1958-59. (*The Parliamentary Secretary to the Ministry of Education, Mr D. S. A. Agim*).
- (iii) The Annual Report of the Eastern Nigeria Information Service 1957-58 (*The Minister of Information*).

#### Mr Speaker:

The following Papers were distributed to Members during the Adjournment. In accordance with Standing Order 15 (3) they are deemed to have been laid on the Table.

1. The Fisheries Division, Ministry of Agriculture, Annual Report, 1958-59. (Official Document No. 16 of 1960).
2. The Ministry of Commerce, Annual Report 1958-59. (Official Document No. 17 of 1960).
3. The Provincial Assemblies Standing Rules and Orders. (Official Document No. 18 of 1960).

No. 19 of 1960).

5. The Public Service Commission—Annual Report 1959 (Official Document No. 20 of 1960).
6. The Veterinary Division—Annual Report 1958-59. (Official Document No. 21 of 1960).
7. The Ministry of Education—Annual Report 1958. (Official Document No. 23 of 1960).
8. The Report of the Commission of Inquiry into the Nembe Chieftaincy Dispute. (Official Document No. 24 of 1960).
9. The Forest Division—Annual Report 1959-60 (Official Document No. 25 of 1960).
10. The Eastern Region Development Volume 4 No. 12, January-April, 1960.
11. The Nigeria Trade Journal Volume No. 1, January-March, 1960.
12. The Fourth Annual Report of the E.R.D.C., 1958-59 and the Consolidated Accounts dated 31st March, 1959.
13. The Nigerian College of Arts, Science and Technology, Calendar, 1960-61.
14. Eastern House of Assembly Debates Official Report—Third Session, First Meeting, Volume II—23rd April to 7th May, 1959.
15. Eastern House of Assembly Debates Official Report—Third Session, Second Meeting—22nd and 23rd May, 1959.
16. Eastern House of Assembly Debates Official Report—Third Session, Third Meeting—29th September, 1959.

Ordered: That the said Papers do lie upon the Table.

### REPORT FROM A SPECIAL COMMITTEE

**The Chairman of the Joint Public Accounts Committee (Mr M. U. Etuk)**  
The Joint Public Accounts Committee has agreed upon a Report which I beg to lay on the Table of this House (No. 1 of 1960—Official Document No. 22 of 1960).

Ordered: That the said Report do lie upon the Table.

**ORAL ANSWERS TO QUESTIONS**

**Expatriate Graduate Teachers**

10. **Mr S. E. K. Iwueke** asked the Minister of Education, how many expatriate graduate teachers are on secondment in the Eastern Region, and what are their qualifications, the dates of their graduation, their salaries; how much does the Government spend per annum to retain their services.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):** I am directed to answer as follows:—

There are at present three expatriate graduates on secondment to the Ministry of Education in the Eastern Region.

Two of them are handicraft specialists whose services have been made available through the International Co-operation Administration of the United States of America. They are Dr Donald E. Perry who graduated as a Doctor of Education in 1955 and Mr Harvey D. Miner holds the degree of Master of Arts. The date of the latter's qualification is not available. The salaries of these officers are paid in full by the International Co-operation Administration and the liability of the East Region Government is confined to the cost of international transportation between Nigeria and America, the provision of quarters and the payment of transport allowances and Rest House expenses in Nigeria. The third officer is Mr A. P. Knottenbelt, a science specialist who is on secondment from the service of the Government of the Federation of Rhodesia and Nyasaland. He graduated in 1936 in Physics, Chemistry and Biology. His salary is paid in full by the Rhodesian and Nyasaland Government, which has also paid the cost of his transportation to Nigeria. The Eastern Regional Government provides him with transport and also pays him travelling expenses at the rates applicable to Government officers. It will also pay the cost of his return journey to Southern Rhodesia on the expiration of his period of secondment.

**Mr Eronini:** When will Government endeavour to get more graduates of this type?

**Mr Agim:** Every effort is being made to secure as many teachers as possible.

senior Government School Teachers to the post of Education Officer is by length of service, experience and merit for hard work; if so, when will such consideration be extended to their counterparts in private institutions, in view of the fact that their conditions of service are now almost identical.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):** I am directed to answer as follows:—

It is confirmed that teachers in Government Service may qualify for promotion to the rank of Education Officer on the basis of merit, experience and length of service. A similar arrangement exists whereby their voluntary agency counterparts may be promoted to what is known as the "extended scale" and is in fact Gorsuch Scale B, which was originally reserved for Education Officers who do not possess the normal qualification of an honours degree with post-graduate teaching qualification.

**Application to open a Secondary School in Ikot Ekpene**

50. **Mr J. M. Ito** asked the Minister of Education, why repeated applications from the Methodist Mission, Ikot Ekpene to open a Secondary school in Ikot Ekpene Division have not been granted while the other Voluntary Agencies in the same Division have had their applications readily granted; what are the reasons for such discriminating treatment.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):** I am directed to answer as follows:—

This question cannot be answered as it stands, as it is not based on correct information. No secondary school has been approved for any agency in Ikot Ekpene Division since the lifting of the ban on the opening of new secondary schools. Only one voluntary agency has been given permission to open a Secondary school in Ikot Ekpene Division within the last eighteen months and that application was received before that of the Methodist Mission. There has been no discrimination. The refusal of permission to the Methodist Mission was merely due to the fact that one secondary

Schools and Teacher Training Colleges by Voluntary Agencies and Private Persons?

**The Minister of Education:** As it is, there is a survey of the whole Eastern Nigeria, mapping out the number of schools already operating in the area, showing the school population of that particular area and finding out how many more secondary schools are needed in that particular area, and how many have been over-supplied. On knowing this, you will be able to determine whether a particular area is entitled to more or no more secondary schools in that division. This survey shows everything and if it is circulated to Members you will be able to see how many institutions already exist in your area and how many more are needed to meet the needs of the area.

### Scholarship Award

52. **Mr Nnabu Nweze** asked the Minister of Education, how many Government scholarships were awarded to Abakaliki indigenes during the 1959-60 financial year; if none, why; if any, who are the recipients.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):** I am directed to answer as follows:

During the financial year 1959-60 a total of eight scholarships were awarded to Abakaliki indigenes. The scholars were:—

| Name                 | Local Council Area |                         |
|----------------------|--------------------|-------------------------|
| 1. Oba, I. . .       | Ikwo               | Secondary School award. |
| 2. Eze, R. O.        | Imoha Ezza         | Secondary School award. |
| 3. Ojiogu, S.        | Ezzikwo            | Secondary School award. |
| 4. Aliuna, P.        | Izo Imoha          | Secondary School award. |
| 5. Elechi, M.        | Ezzikwo            | Secondary School award. |
| 6. Nwankwo, C. C.    | Izzi               | Secondary School award. |
| 7. Okoroji, Miss C.  | Izzi               | Secondary School award. |
| 8. Ogbogu, C. I. . . | Izzi (Ibeagu)      | Secondary School award. |

The particulars regarding place of origin were supplied by the candidates themselves.

65. **Mr W. Abengowe** asked the Minister of Town Planning, whether, in view of the shortage of qualified surveyors, and the fact that the Nigerian College of Arts, Science and Technology cannot produce qualified surveyors in sufficient numbers, the Government will consider the advisability of arranging an advanced course of two years for experienced Survey Assistants.

**The Parliamentary Secretary to the Ministry of Town Planning (Mr D. O. Aligwekwe):** I am directed to answer as follows:

The qualification for Surveyor, Scale A is a University Degree, followed by a one-year course at Newbury in England. Graduates are recruited as Surveyors, Grade II on a salary of £660 per annum until such time as a vacancy occurs on the Newbury course. There is no difficulty about this. These Surveyors Scale A are the officers who are chiefly responsible for training within the Survey Division. It will be realised, that owing to the nature of Surveying, where a number of officers work together as a team, work and training proceed simultaneously, much more so than in any other branch of the Service. Surveying is also unique, in that the work which a man does bears his name and therefore all his work is comparable to an examination paper, and it is easy to assess his ability from his everyday work. It is not agreed that the Nigerian College of Arts, Science and Technology cannot produce qualified Surveyors in sufficient numbers. There are at present 9 officers of the Survey Division studying at the College and 2 more will proceed there shortly. These are men who have been recruited as Survey Assistants Grade II, having obtained the West African School Certificate. Nowadays only candidates with credits in Mathematics and English in the West African School Certificate Examination are recruited. In the past, some candidates with lower qualifications were recruited and several of them, when sent to the Nigerian College of Technology, failed to make the grade. Now that a better class of candidates is being recruited, it is not anticipated that there will be failures at the Nigerian College.

As the Nigerian College of Arts, Science and Technology is able to undertake the necessary



aining, it is not considered necessary for the survey Division to duplicate the course.

**Mr E. O. Eyo:** Will the Minister of Town Planning re-read the reply in order to make it more explicit?

**Mr E. O. Eyo** (by Private Notice) asked the Premier:

(a) whether he is aware that Eastern Nigeria Legal Notice No. 303 of 1960 published as Supplement to *Eastern Nigeria Gazette Extraordinary* No. 53, Vol. 9 of 10th October, 1960, and purporting to re-publish the Nigeria (Constitution) Order in Council, 1960, has omitted the Fourth Schedule being the Constitution of Western Nigeria;

(b) what are the reasons for the omission; and

(c) will the Premier take immediate steps to give direction for a true and accurate publication of the Nigeria (Constitution) Order in Council, 1960.

**The Premier:** I am aware of the omission noted by the hon. Member. This is a regrettable error.

I assure the hon. Member that arrangements are in hand for the early publication of an amending *Gazette* Notice which will rectify these or other errors of omission.

## MESSAGE FROM THE EASTERN HOUSE OF CHIEFS

**The Clerk of the House:** The Eastern House of Chiefs has agreed to the following Bills without amendment:—

1. A Bill entitled: The 1960-61 Eastern Region Appropriation Law, 1960.

2. A Bill entitled: The Recognition of Chiefs Law, 1960.

3. A Bill entitled: The Audit (Amendment) Law, 1960.

4. A Bill entitled: The Interpretation

6. A Bill entitled: The Magistrates Court (Amendment) Law, 1960.

7. A Bill entitled: The High Court (Amendment) Law, 1960.

8. A Bill entitled: The Finance (Amendment) Law, 1960.

9. A Bill entitled: The Loans Law, 1960.

10. A Bill entitled: The Eastern Nigeria Local Government Law, 1960.

## NOTICES OF INTENTION TO PRESENT PUBLIC BILLS

### (1) Incorporation

**The Minister of Commerce (Mr J. U. Nwodo):** I beg to give notice of my intention to present tomorrow a Bill entitled:

“The Incorporation (Ministry of Finance) (Amendment) Law, 1960.”

### (2) Development Corporation

**The Minister of Commerce (Mr J. U. Nwodo):** I beg to give notice of my intention to present tomorrow a Bill entitled:

“The Eastern Nigeria Development Corporation (Amendment) Law, 1960.”

## BILLS PRESENTED

### (1) Supplementary Appropriation Bill (1960-61)

Bill to make Supplementary Provision for the service of Eastern Nigeria for the Year ending on the 31st day of March, one thousand nine hundred and sixty-one; presented by the Minister of Finance, Dr S. E. Imoke; read the First time; to be read a Second time Today.

### (2) Public Prosecutions

Bill to amend the Director of Public Prosecutions Law, 1958; presented by the Minister of Justice and Attorney-General, Mr M. O. Ajegbo; read the First time; to be read a Second time Today.

### (3) Fatal Accidents

Bill to amend the Fatal Accidents Law, 1956:

1956; presented by the Minister of Justice and Attorney-General, Mr M. O. Ajegbo; read the First time; to be read a Second time Today.

## (5) Building Lines

Bill to provide for the Regulation of the Position of Buildings and other Obstructions with reference to Roads other than Federal Trunk Roads; presented by the Minister of Works, Mr P. O. Ururuka; read the First time; to be read a Second time Today.

## ORDERS OF THE DAY

### (1) Supplementary Appropriation Bill (1960-61)

*Order for Second Reading read.*

#### **The Minister of Finance (Dr S. E. Imoke):**

I rise to move that a Bill entitled "A Bill for a Law to make Supplementary Provision for the Service of the Eastern Region for the year ending on the 31st day of March, one thousand nine hundred and sixty-one" be now read a second time.

Hon. Members will appreciate that the Independence Celebrations had a special significance for us, the people of this Region, and the Government therefore decided to give them the pre-eminence that they deserved, even at the expense of diverting our attention from such other important matters as the Supplementary Estimates; I am sure that everyone in the Region participated in these celebrations with great satisfaction. It will therefore be clear that, in view of the manifold activities with which we were last month concerned, neither my Ministry nor our hard-working Government Printer could have completed work on these Estimates at an earlier date.

It is customary for me, in presenting Supplementary Estimates, to attempt to give the Legislature some indication as to the probable out-turn for the financial year, but despite the delay in presenting this Bill, the time is not yet ripe for me to go into any details. Although it is possible at this stage of the financial year to obtain a reasonably accurate idea of the way in which our expenditure is running, as compared with the Approved Estimates, this

a seasonal matter whose out-turn cannot be estimated even approximately until later in the year.

There is, however, one unpleasant point in connection with our revenues that I must explain. Soon after the beginning of the financial year, it was discovered that the Federal Expenditure Estimates, on which our revenue estimates under Head 412 (Statutory Shares Federal Government Revenues) are based, contained a most unfortunate typographical error, the effect of which was to overstate our revenue expectations in this sector by no less than £720,000; the total estimate under Head 412 should thus have been £9,875,770 and not £10,595,770. You may be assured, Mr Speaker, that as soon as this mistake was pointed out, I took immediate steps to express to my colleague in the Federal Government my concern at this mistake, the effects of which continued to cause the Government concern for some months.

I am now happy to be able to inform you that recent trends in other sectors of the revenues that we receive from the Federal Government indicate that we shall, as a result of increased buoyancy, recover most of this unfortunate reduction, and that our eventual share of Federal Government revenues will in fact prove to total approximately that indicated in the Approved Estimates. As I have already said, it is too early to give any firm indication as to revenues collected within the Region, but I have no reason to doubt that they will be no less than, and in some cases exceed, the original estimate.

To turn now to expenditure, the Bill at present before you seeks, as has been necessary since the establishment of the Capital Development Fund, two separate appropriations: one from the Consolidated Revenue Fund in respect of Recurrent Expenditure, and the other from the Capital Development Fund to meet increases in capital expenditure.

You will observe, from a comparison of the First Schedule to the Bill and the Summary at page E 8 of the Supplementary Estimates, that whereas the Recurrent Budget shows that additional provision of £653,660 is required,

The Bill requests an appropriation of only £645,820; the difference of £7,840 between these two figures represents the total amount of additional statutory expenditure required under the Judicial and Public Service Commission Heads, which is, of course, not subject to appropriation.

The bulk of the additional provision sought in the Recurrent Budget arises from three main sources:—

- (a) The need to make full provision (the total of which had not been calculated when the annual estimates were prepared) for the 20 per cent wage increase in respect of daily-paid staff which was accepted by the Government as a result of the recommendations of the Mbanefo Commission;
- (b) Further provision required to permit the award, recently announced, of the 15 per cent, instead of the original 12½ per cent, increase in the salaries of Voluntary Agency Teachers, Nurses and Midwives;
- (c) Additional provision is required to meet the cost of the Independence Celebrations that took place throughout the Region, and which I am sure hon. Members will agree were well organised and thoroughly appropriate to the great occasion that we have all just experienced.

Apart from these three main reasons for additional expenditure, there are the usual number of proposals for the augmentation of sub-heads that are not susceptible of accurate estimation.

To turn now to Capital Expenditure, the Bill seeks to appropriate the large sum of £2,024,060; I should not, however, wish hon. Members to obtain the impression that we are likely to spend as much as £8,000,000 on our Development Programme this year. The position is that the Programme is constantly under review to meet changed conditions and demands, and that this process has reached a stage when an additional appropriation is now necessary in order that new projects may commence and existing projects continue at an accelerated rate. On the other hand, progress in other sectors will be one of the continued need for further

occur; the extent of this deceleration cannot at this stage be calculated with sufficient accuracy to permit the quotation of full savings, but they will certainly be made. I hope, in presenting next year's Budget, to be in a position to give a more detailed review of the situation: the Programme will soon enter its fourth and last year, and must be carefully revised so that it can be co-ordinated with plans for the next Development period while ensuring the continued progress that we all so earnestly desire.

Hon. Members will find further detailed comments upon the proposals in these Supplementary Estimates in the Memorandum at page E 61 and in footnotes to the various Heads and Sub-heads. If any further explanations are considered desirable, I am sure that my colleagues will be only too happy to provide them when the individual Heads are under discussion.

I think it will be agreed that the requests incorporated in this Bill are quite reasonable and entirely necessary for the maintenance of essential services and for the continued prosecution of our development projects. It seems to me, therefore, that there is no need for me to take up the time of the House with a lengthy speech; the Supplementary Estimates now before you are very clear and will, I hope, prove to be acceptable to hon. Members.

**The Provincial Commissioner, Umuahia (Chief A. N. Onyiuke):** I beg to second.

*And under Standing Order 78—Supplementary Appropriation Bill—the debate stood adjourned.*

*Debate to be resumed Tomorrow.*

**(2) The Director of Public Prosecutions (Amendment) Bill**

*Order for Second Reading read.*

**The Minister of Justice and Attorney-General (Mr M. O. Ajegbo):** I beg to move that the Bill be now read a Second time.

Section 2 of the Director of Public Prosecutions Law, 1958 provides that there shall

the same as that of a Judge of the High Court. The reason for that is that the Constitution prescribed the same qualifications for appointment of a Director as that of a Judge and Government felt that there should be no distinction as to their salary. Again, if we paid the Director of Public Prosecutions the same salary as that paid to a Judge, it would remove the attraction to become a High Court Judge. I think this Bill is non-controversial.

**The Minister of Local Government (Mr P. O. Nwoga):** I beg to second.

*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 agreed to.*

*Clause 2:*

**Mr E. O. Eyo** (Uyo Division): I just want to say that we agree to the proposition that the holder of the post of Director of Public Prosecutions should be on the same salary as that of a Judge. But under Objects and Reasons, the salary of a Judge is indicated as £3,000 a year. I was wondering whether our Government will not reconsider the question of the salary of the Judges of the High Court. Is it not a fact that the salary paid to the Judges in Lagos is higher than the salary paid to our Judges in the Eastern Region? If we accept the principle that there should be no variation or difference in the salary range then is it not rather fair to assume that the attraction will lie more in Lagos than in the Eastern Region? I would like our learned Attorney-General to confirm or deny that the salary paid to the Judges in the Federal territory is higher. If that is so we would like to urge the Government, while preparing next year's Estimates, to do all they can to see that no Judge in any part of the Federation should be placed on a higher salary than the Judges in the Eastern Region.

**The Minister of Justice and Attorney-General:** It is not correct that the Judges of the High Court of Lagos are paid more

Nigeria. They are paid £3,000 a year, and so are Judges here. The only Judges who are paid more are the Judges of the Federal Supreme Court. I think they are paid £3,360 with the exception of the President of the Court. I would like to remind you that in the North they are paid considerably less than £3,000. We are going along with the Western and Federal Governments.

**The Premier:** The West and Lagos.

*Question put and agreed to.*

*Clause 2 agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported without Amendment: read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the appropriate Message.*

### (3) The Fatal Accidents (Amendment) Bill

*Order for Second Reading read.*

**The Minister of Justice and Attorney-General (M. O. Ajegbo):** I beg to move that the Bill be now read a Second time.

This Bill is non-controversial. In 1956 this hon. House enacted the Fatal Accident Law. The object of that law was to make it possible for the relative of a person whose death was caused by a wrongful act, negligence or default of another person, to be able to bring an action for damages. Section 6 of that law limits the period within which the person who is affected puts in an action, to 12 calendar months. Experience has shown that this period is much too short and that before the shock of the death to the relative was over the time within which to bring the action was over. The object of this Bill is to extend the time limit to three years.

**The Minister of Local Government (Mr P. O. Nwoga):** I beg to second.

**Mr E. U. Eronini** (Owerri Division): I think that this amendment should be welcomed in this Region. This is so because the Third Party Insurance Companies have been drawing

ge sums of money from vehicle owners, but ly in few cases have they paid something en there is an accident. The companies ve about 500 lorries to which they have given insurance policies and registered for hundreds pounds; so that in one year they make about 5,000; but in the whole year not more than ree or four accidents occur. But when ere is an accident, before the relatives ow what to do, the one year as allowed by the evious law has expired and the Insurance mpany pockets the money. If you write to em during the course of action, they will rite to say "we are looking into it." Delaying ctics are applied in that before action could be mpleted the one year has expired. With is Bill, Sir, within the three years, something ill be done.

I beg to support.

**Mr E. O. Eyo:** There is one aspect of the amendment which is acceptable to this side of the House. But I am a bit worried, Sir, that the other aspect of the amendment has carefully been avoided. It appears that the purpose of the Amendment Bill, Sir, is to give power to Customary Court to have jurisdiction in hearing cases. But why then should we attempt to classify under Clause 2 Customary Courts of competent jurisdiction? The idea here, Sir, is to confer by law a certain Customary Court to have a jurisdiction. I should have thought that if the question is to enable the Customary Courts in the outstations to exercise jurisdiction, there would not be any need to classify some as Customary Courts of competent jurisdiction leaving it open for the Governor in Council to confer this jurisdiction on certain Customary Courts. I do not know whether the idea is to make it possible for some Customary Courts to exercise this jurisdiction, leaving out others. If this is the idea it will be objected to by this side of the House. Our view is that if it is necessary to confer jurisdiction on some Customary Courts in this Region, then it must be on all Customary Courts.

**The Minister of Justice and Attorney-General:** The Customary Courts in the Region, according to the law, are divided into two

killed might wish to take action for £25 in which case he goes to Group B. If he wishes an action for £50 he goes to Group A. If in course of time the jurisdiction of Customary Courts is increased and lawyers are appointed to preside over them then claims can be made for greater amounts. A court of competent jurisdiction means a court having the necessary jurisdiction to try the case depending on the amount of damages claimed. I will look into the points made by the Opposition Chief Whip and I can assure him that the relatives of the deceased person will get justice.

*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 1-4 agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported without Amendment; read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the appropriate Message.*

#### **(4) The Customary Courts (Amendment) Bill**

*Order for Second Reading read.*

**The Minister of Justice and Attorney-General (Mr M. O. Ajegbo):** I beg to move that the Bill be now read a Second time.

When the Customary Courts Law, 1956, came into force, the intention was that enough Assistant Customary Courts Advisers should be appointed in some parts of the Region who would make regular visits to these courts and be able to provide guidance and correct mistakes. At the moment four assistants have been appointed, and that even was with some difficulty, and it is unlikely that any more can be appointed without the change in title envisaged by this Bill. Lawyers do not seem to like the title of Assistant Customary Courts Advisers; and unless the title is changed it is

customary courts. Some Assistant Customary Courts Advisers have, in fact, suffered unjustified humiliation in the hands of some Judges and I do not want this state of affairs to continue. In order to remove this humiliation, I feel that this Bill should be passed.

**The Minister of Local Government:** I beg to second.

**Mr E. O. Eyo:** I do not see with the hon. the Attorney-General when he said that lawyers would not like to be called Customary Courts Assistants. While discussing legislation to establish Customary Courts in the Region the idea was not to protect the interests of lawyers. I do not feel that the lawyers feel it derogatory because they are called Assistant Customary Courts Advisers but because of the type of job they are called upon to do and also the salary attached to it. Is it not true that if the Government now decides to appoint lawyers in this Region as Presidents of these Customary Courts on a salary of £3,000 per annum they would like the job? The Presidents of Grade A Customary Courts in Western Nigeria are lawyers. I have not heard any of them complaining or saying that it is derogatory. I think the Attorney-General wants to be nice to the members of the legal profession.

**The Minister of Justice and Attorney-General:** I am grateful to the Opposition Chief Whip for the points made by him. He seems to have forgotten, however, the second arm of my argument. We want to make use of these men in prosecuting Crown cases in courts and we cannot do so while they still retain this title. We have had some difficulty with some Judges in the Region who say that the role of these Assistant Customary Courts Advisers is limited to Customary Courts. I want the restriction removed to enable me to make use of these officers in courts whenever necessary.

*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)

*Schedule agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported without Amendment; read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the appropriate Message.*

## (5) The Building Lines Bill

*Order for Second Reading read.*

**The Minister of Works (Mr P. O. Ururuka):** I beg to move that the Bill be now read a Second time.

This Bill has two important objects. First it prohibits the erection of buildings so close to the road that they become an accident hazard. Secondly, it permits those responsible for road maintenance and construction to win materials for the maintenance or construction of the road.

The new Building Lines (Regulations) Law will ensure that those engaged on road works have authority to win materials for that purpose inside the line and to remove crops and vegetation likely to obstruct lines of sight. It will provide the right to construct works inside the line for the purpose of road widening and draining. It will prohibit the carrying out of excavations within the line likely to prejudice the stability of the road or impede the vision of the users of the road.

Finally, this Law will prevent the construction of buildings which may prejudice the line of sight or safe use of the road. Buildings constructed within the building line prior to this Law could not, of course, be destroyed unless compensation were paid.

Members of the House are aware of the large road programme at present being undertaken by Government. During the last few years administrative officers, provincial engineers and contractors have been severely handicapped because there has been no enforceable legislation in respect of building lines. Over

Actually the whole Region road works are at present carried out at the risk of courting a vast number of claims for compensation for cutting grass, whether or not this included economic trees, digging stable earths and sand, winning gravel and cutting drains.

While engaged on the construction of a road, the Government must be able to control or to give the contractor control over these matters to 100 feet from the centre line of the road. If this is not done, there is grave danger of contractors being delayed for long periods while protracted negotiations take place over claims for compensation, and so on. Contractors, being business men, cannot afford delay, and would be within their rights to seek compensation from Government for standing time.

Building Lines Regulations are also necessary in the interest of road safety, about which Members of the House have shown much concern recently. The road safety committees now operating at national and provincial levels will be greatly assisted in their work by building lines which ensure that visibility conforms to a desirable minimum standard.

Finally, I want to make it quite clear that the provisions of this Law are all permissive—and not mandatory. Members can be assured that I have no intention of being rigid about this—if 50 feet will do then I shall prescribe 50 feet instead of 100 feet. (*Hon. Members: How will you know?*) My engineers will advise me. If economic trees are growing alongside the road, we will not only cut them down if they are a danger to life and limb which can come about either by poor lines of sight or by interference with the proper drainage and formation of the road. I am sure hon. Members will be pleased to see oil-bean trees removed, and will be surprised to learn that except on Trunk Roads A we have at the moment no legal authority to cut them down. I come from a rural area and I know as well as any body that economic trees must not be cut down willy-nilly, but I am also a father and I want to make our roads safe for our children, as not to do so would be criminal. Let us all have clear consciences in the knowledge that no fatal accidents have occurred or a

**The Provincial Commissioner, Onitsha (Mr R. O. Iwuagwu):** Sir, I beg to second.

**Mr Wachuku Abengowe (Aba Division):** I welcome this Bill and would like to speak in support of it. It appears that the Bill is intended to take over all the roads in the Eastern Region except Federal roads. (*Some hon. Members: How?*) By implication.

I would like to call the attention of the Minister to what I consider to be an omission in the Bill. In providing for road safety it is essential that the Minister should also guard against erosion on the roads. One of the causes of erosion on some of our roads is the tendency to excavate sand from roads for moulding building blocks. This happens in the rural areas. This practice has caused a lot of danger to road users and maintenance of roads.

The next thing is that the removal of trees from our roads is very essential. The trees were not planted by our people but, I understand, by Administrative Officers in the olden days. They wanted shade on the roads and the trees provided this. It is the responsibility of the Minister to see that these trees are removed because they now constitute a lot of danger to traffic on the roads.

I would also like the hon. Minister to see that the Bill, after it has been passed into law, is sent to Local Government Councils because these Councils have a great responsibility in the maintenance of roads in their respective areas.

**Mr J. A. Agba (Ogoja Division):** I wish to say something about this Bill for three main reasons. In the first place, I am not aware whether roads mentioned in this Bill include lanes, paths, etc. In the second place, I am strongly of the opinion that the 100 feet measurement from the centre of the road is absurd, remembering that here in Eastern Nigeria land is scarce and this land has to serve for agricultural purposes as well as for road construction. It will therefore be unwise to

be failing in its duty if it allocates 100 feet from the centre of the road, making on the whole 200 feet, for the purposes of road construction alone. That is far too much. This will not allow those men and women who are interested in agriculture an adequate opportunity of putting their proposals into practice. I therefore suggest that 50 feet from the centre of the road will suffice.

Let me come to the question of the railways. I hope, and I think the people of Ogoja are with me, that very soon the Government will be extending the railways from Enugu to Obudu.

As I said earlier the 200 feet wide road being proposed is too much and I wish to bring this matter to the notice of the Minister concerned. I have noticed that in some cases the contractors laying some of our public roads have allowed their labourers to make deep drains and pits which provide habitats for mosquitoes in the rainy season. We all know what bodily harm is caused by mosquitoes.

I would also like to say something about the felling of trees on both sides of the road. Hon. Members will agree that sometimes not only oil bean trees are to be seen on both sides of the roads. Palm trees abound also. The felling of these trees indiscriminately will no doubt affect the small farmer adversely. It is from the produce of these trees that he is financed to pay tax and if we fell these trees we will have deprived the small farmer of a valuable part of his economy. That is all I want to say.

**Mr I. I. Morphy** (Ogoja Division): Mr Agba has already said that he would like the Government to adopt a 50 feet wide road and I am in support of that. But I would like to know what will happen to the juju trees that are within this boundary.

**Mr E. U. Eronini** (Owerri Division): There is something I would like to ask. What is Government going to do about the obstructions constantly being left on roads? For instance, I have noticed that on many occasions some cars and lorries are parked awkwardly on some roads. I have also seen where wood is left on roads making it impossible for two cars or lorries to

hope that the Police will do their utmost to see that the defaulters in this matter are adequately dealt with according to the law.

Coming to the road construction programme I am of the view that the 100 feet from the centre of the road is too much because that means that the width of the road will be 200 feet and hon. Members will agree with me that not even the Federal roads have that width. I am therefore appealing to the Government to scrap this 100 feet proposal and instead to lay down a minimum of 50 feet from the centre of the road, and that means a width of 100 feet. That is adequate.

**Mr S. T. Akpan** (Eket Division): I am supporting the last speaker on the last point that he has made. In my considered view the 100 feet from the centre of the road is too much. I think 50 feet from the centre of the road is all right. That will serve us. I am supporting this view very strongly.

I would like the Minister to clarify one point about damage done to economic trees. I know of some cases where such matters have been referred to the Minister for determination but for three years now he has not been able to do anything. At a particular spot, somebody's rubber plantation was destroyed and up till date it is about three years now, the Minister has not determined it. (*Hon. Members: On what road?*)

Eket road. Will the Minister explain if the past cases will receive the same treatment as the cases that are likely to come—the cases that he envisaged, otherwise it is not a fair treatment for those who have suffered heavy losses and have received no redress from the Minister. Whether the people who are going to suffer damages under this law are going to be compensated I would like the Minister to make a categorical statement on the matter.

**Mr J. O. Ihekwoaba** (Orlu Division): Mr Speaker, may I draw the attention of the Minister to the fact that in the course of his speech he made mention of 100 feet space. I think that the damage resulting from this will affect all the people who are living along these roads. I have nothing that will



affect me even if it is 200 feet wide but I was thinking that the Government is going to pay a lot for widening these roads. I thought that there was an instruction given to different Councils to root out these trees in their areas of responsibility but up till now nothing has been done. I take this opportunity to suggest that it would be good to remind them by writing them to instruct their people to see that these bean trees are removed. I remember that 7s 6d was offered them for uprooting these trees and for widening these roads, but there are people whom, I understand, are not interested in this 7s 6d so that if you would consider adding something to this amount it would be welcome because these trees are dangerous to human life.

I would like to draw attention to erosion which often takes place on these roads at present, especially on roads in Orlu area. The erosion on these roads has made them unfit for human use. People who pass through these roads will agree with me that they are dangerous. I am therefore appealing that these trees be removed.

**Mr M. N. Onwuma** (Aba Division): I support the Bill but in doing so, I would say that this 100 feet is a long distance. It is too wide, and the Minister should give that a reconsideration. I would suggest 50 feet or thereabout as you have in the Federal roads. Therefore, I suggest that it should be 50 feet from the centre of the road on both sides.

I am appealing to the Ministry of Works not to widen the roads without widening the bridges. Many of the bridges which we have all along a number of the roads are narrow. It is necessary while widening roads to widen the bridges also.

Again I think, Mr Speaker, that it will breed bad blood if people after planting their crops like yams and cassava which are normally reaped in twelve months have them removed without compensation. The Minister has not said whether he is going to pay compensation on that or not. If he is going to pay compensation let him say so otherwise that part of the Bill should not be supported.

Finally, when the Federal Trunk A road from Aba to Port Harcourt was reconstructed by the Federal Ministry of Transport a number of crops and economic trees were destroyed and the promise at that time was that compensation would be paid and up till now nothing has been heard. May I request the Minister, as the representative of the Federal Ministry of Transport, to find out whether that is true or not.

**Mr E. O. Eyo** (Uyo Division): The Bill is a good one provided the Minister will be good enough to create two parallel conditions. If you look up clause 2, the interpretation clause, I think the idea is to limit the sphere of influence and activities on roads maintained by the Regional Government and also the roads maintained by the Local Councils. I think that if Members consider that point they will be able to remove the difficulty when they come to the question of distance. At the moment, the Regional Government is responsible for all the Trunk B roads in the Region. The Bill should lay down firmer and stricter rules with regard to obstructions on Trunk B roads, that is, roads being maintained by the Regional Government. In the rural areas where there are roads maintained by the Local Government Councils, I think we will be prepared to be very firm on how this law will be applied.

In clause 7, Sir, the Bill seems to give Local Government Councils power to determine the distance from the centre of the roads within which persons shall not create an obstruction. That, Sir, is very reasonable but that is made subject to the provision of clause 8 which requires the approval of the Minister. I think the Minister should be more concerned with obstruction along Government Trunk B roads, and leave the rest to the discretion of the Local Government Councils. Our people are in agreement with this Bill, because it is important that something must be done to clear obstructions, but they should be scared when they hear of this provision under clause 8.

**Mr Eyo Ita** (Calabar Division): I am quite in support of the Bill but there are some points which I want to make.

First, there is the question of bridges. We have a lot of bad bridges—bridges being too

[MR E. ITA]

narrow and bad in many other aspects. So this Bill should take great care of that point.

The second point which I want to emphasise is with reference to electric and telegraph poles. Many of the poles are so near the roads that we have lots of accidents taking place. So it is necessary to advise not only the E.C.N. but also the P.W.D. which is a Department of the Minister concerned to take great care that these poles are taken some distance from the roads so that we may avoid accidents such as cars having collision with these poles. And again where we have poles so near the road and there are trees standing by, whenever any of the electric wires cuts this constitutes a danger to the lives of the people who live within the area; so it is very important that the distance of these poles from the road should be adequate to prevent any accident or danger whenever any of the wires cuts.

With reference to cities and towns, those working in the old cities with narrow lanes know what danger people have with cars and sometimes lorries going as far as to kill people in their houses. This has happened several times in Lagos, and while there are some plans for expansion and improvements in Lagos we are not moving at the same rate to improve these old towns and cities and save them from accidents. We have some streets in Calabar where the gutters are just by the main roads and the eaves of houses projecting over the gutters, with some traders putting their wares right on to the gutters across the streets, making life unsafe in those areas. So this Bill should provide for this situation to be improved and building lines set in such a way that they will not have to be so near the roads. Not only the new buildings but also the old ones. People should put their houses at points where life is safe for themselves, the vehicle drivers and other people who use the roads. I think it is indeed very necessary that something should be done at an early date so that we may save life and also improve the appearance of our roads and buildings.

**Mr C. A. Abangwu** (Nsukka Division): I have only two points to make. My first point concerns the roads. If you go along the streets and roads now, especially the Trunk roads, you see quite a number of old buildings, and

these cause obstructions which we must try to avoid. When the Government intends widening the roads I think that something ought to be done to these existing buildings in order to straighten up the roads. Sometimes when these roads are given to contractors, not much attention is paid to the straightness of the roads and even the presence of one single tree can force them to change their course and make an irregular road. I consider that each time the contracts are awarded there should also be an expert to ensure the straightness of the roads. My second point is the one which has already been made by Members. It is about the existing bridges. The old specification has always been a level, straight bridge. Now that the roads are being widened, it is only necessary that in the new contracts which are awarded there should also be a clause to widen the bridges. If this is not done, as many hon. Members have observed, there will be a lot of accidents. I submit that there is a great need to widen the roads as well as the bridges.

**Dr W. N. Onubogu** (Onitsha Division): Hon. Members have not congratulated the Minister for this Bill, and so I want to start by congratulating the Minister for this fine Bill. My observation is that the Bill has not come soon enough. Another point is that perhaps the Minister's advisers will on certain occasions advise him to change from 100 feet to 50 feet or thereabout, or even 75 feet. I want to say that it will make the whole Bill unpopular if in a stretch of one road a part will be 100 feet from the centre of the road while the other part is 50 feet.

Another point is that several speakers have spoken of the agricultural nature of this place. Old men and women who cannot walk a good distance often farm in front of their houses; therefore to keep as much as 100 feet from the centre of the road will dispossess these people of their livelihood. Many of their houses burst on the road. I, therefore, advise the hon. Minister to accept amendments when they are made. It should be only 50 feet from the centre of the road on both sides. The hon. Minister should not say that until he is advised by his experts, he cannot think of any change.

**The Minister of Works:** I only want to deal with the most important aspects of the contributions made by hon. Members. I

have heard one or two speakers harping on 100 feet or so. When I was making my speech, I did say that the law is permissive and that Government has no intention of being so rigid about it to the extent of losing 100 feet on the other end. I understand and, in fact, appreciate what the last speaker said about 100 feet but the thing is that we must have to use our discretion in constructing the road and the 100 feet we are speaking about does not mean that we are going to use the whole 100 feet in the construction of the road. It is for the purpose of allowing contractors to use materials say, laterite and earth for the road construction and the road may be 22 feet; so in this case it does not mean that the whole 100 feet or 200 feet will be used.

Another way of looking at it is that the country is progressing and the nature of the road we had about twenty years ago is not the same as that which we should have in twenty years to come. That being the case, we must provide a law which will allow us to construct roads that will befit the progress and development going on in the country. If you do not want enough space to be taken in order to construct enviable roads, it stands to reason that the roads will have to take a convenient turn, by deviating it, that is when you do not want to give land.

Some people also wanted to know something about compensation. When I was presenting the Bill, I did say that Government is going to make use of the knowledge of the locality and not be so rigid in such a way as to forget the people who have forfeited their benefits due to the construction of the roads. These people will have to be adequately paid but the future is not going to be so—it is going to be a different thing.

Chief Morphy wanted to know whether juju trees will not be taken into consideration when constructing roads. Hitherto, we have had some negotiations in connection with some of our roads of the nature he referred to. There has not been any trouble with the people because we normally have a proper arrangement with the people and at the end they agree with the desire of the Ministry; so that should not give him any headache.

Mr Onwuma said something about the extension of bridges. Really, this is in our policy.

The more we widen our roads, the more there is need for widening our bridges. The thing is that at the present time, some of the bridges are not as wide as they should be, but they are to be considered in time to come; we are at the present time doing what we can do and we have not lost sight of the bridges.

May I thank hon. Eyo for what he has said about the Bill. In fact, I am particularly happy that no one has opposed it. All you want is amendment and clarification on certain aspects.

*Question put and agreed to.*

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

*Sitting suspended at 12 noon.*

*Sitting resumed at 12.30 p.m.*

*Bill immediately considered in Committee.*

(In the Committee)

*Clauses 1-6 agreed to.*

*Clause 7.*

**Mr J. A. Agba (Ogoja Division):** I would like the Minister to take into consideration the question of special provisions as to towns and villages. I wonder what happens where there is a town which has been useful for a number of years and the Minister considers to have a road constructed through the village or town. It is not specific in the clause "length of time . . ."

**The Chairman:** Are you making an amendment?

**Mr Agba:** Yes, I mean the length of time to be given to the villagers of a town.

**The Chairman:** I am afraid you are not in order. We are in the Committee Stage. You have not submitted any amendment.

**Mr Agba:** I do not understand how I am not entitled to speak to any particular clause.

*Question put and agreed to.*

*Clause 7 agreed to.*

Clauses 8-9 agreed to.

Clause 10.

**Mr B. C. I. Obanye** (Onitsha Division): I beg to propose an amendment to clause 10 (1) to read as follows:

“Subject to section 11, the Appropriate Authority may, with or without compensation, cause to be pulled down or removed, as the case may be— . . .”

The amendment I propose, Mr Chairman, is this: to insert after the word “may” the words “with or” so that the first line “subject to section 11, the Appropriate Authority may, without compensation . . .” may read “. . . with or without compensation.”

The reason for this amendment, Mr Chairman, is to give the appropriate authority the full discretion to award or refuse compensation in appropriate cases. That is the first amendment, Mr Chairman, which I think you will allow me to mention.

**The Minister of Works:** What the hon. Member wants is that we should insert the words “with or”. I am afraid I do not think the Government is prepared to do that. I have already said that the owners of all the houses or buildings on the road will be compensated if they happen to be removed—that is with the future buildings. Let me explain. If we construct a road and eventually somebody feels that he can erect a building just along the road after the road has been constructed, the Government has the right to pull down such houses without compensation. But any house or building erected on any road which we contemplate to build, before we destroy or remove that building we have got to pay compensation.

*Question put and negatived.*

**Mr Obanye:** Mr Chairman, the second amendment I propose to make is to clause 10 (2). The clause itself reads as follows:

“Where expenses have been incurred in the pulling down or removal of anything mentioned in subsection (1), the Minister may, on behalf of the Government, authorise,

in writing, an officer to recover, in a summary manner in a court of law, from the person who—

- (a) created or caused to be created the obstruction in question, or
- (b) planted the crop in question, as the case may be, the expenses so incurred.”

The amendment sought is to delete the expression “Minister” in the second line and substitute therefor, the expression “Appropriate Authority.” I say this because in clause 2 of the Bill, “Appropriate Authority”, in relation to a road the maintenance of which is the responsibility of the Minister, is the Minister and that in relation to the road the maintenance of which is the responsibility of the Local Government Council, is the Local Government Council. If this clause is allowed to stand as it is now, there is no provision to enable Local Government Councils to recover the expenses incurred by them in pulling down illegally erected buildings on roads the responsibility of which is that of the Councils. That is the amendment I wish to make.

**The Minister of Works:** Subject to what interpretation the hon. Attorney-General will give, I wish to say that even in the case of Local Government Councils, the final resort is generally to the Minister himself and even in the area where they have authority the final arbiter is the Minister. It therefore follows that when it comes to the question of determining what compensation is to be paid, it will be up to the Minister, when the case is referred to him, to interpret the law accordingly.

*Question put and negatived.*

Clause 10 agreed to.

Clauses 11-15 agreed to.

Bill to be reported.

(Mr Speaker resumed the Chair)

Bill reported without Amendment; read the Third time and passed.

Bill to be sent to the House of Chiefs with the appropriate Message.

**(6) The Eastern Nigeria Sports Commission (Amendment) Bill**

Order for Second Reading read.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):**

I rise to move that the Bill be now read a Second time.

This Amendment Bill has two purposes. Firstly, to bring up to date, references in the principal law, to the Minister and the Regional Legislature. Clauses 2 and 4 deal with it. Secondly, this Amendment Bill does away with the requirements in clause 2 (6) of the principal law, of having to appoint auditors annually for the auditing of the accounts of the Commission.

Clause 3 of the Bill amends the word "annually." The operation of that clause is made retroactive because auditors have not in fact been formally appointed under this clause.

Mr Speaker, I hope this Bill is not a contentious one.

**The Minister of Town Planning (Mr E. Emole):** I beg to second.

**Mr E. O. Eyo:** Mr Speaker, while I would agree that the Bill is non-contentious there is one question of principle involved to which I would like to draw the attention of the Government. The Eastern Nigeria Sports Commission Law was enacted in 1955 and it was a condition that the Commission should appoint an auditor annually to audit the accounts of the Commission. That was five years ago, and is not it rather extraordinary that it has now come to the notice of Government that this Commission—in the last five years—has failed in one aspect of its duty which we on this side of the House regard as being very important? The idea now is to rush this amending Bill, first of all to regularise this very grave and serious crime.

**The Premier:** That is a wrong word. "Omission" is the right word.

**Mr E. O. Eyo:** "Omission" is too light a word to apply in this case of a statutory body operating for five years, without anybody bothering to appoint an auditor to audit its accounts. Do not forget that these accounts are, under the law, to be laid on the Table of this House. It all means that since the Commission was in operation its accounts have not been audited and no attempt has been made to

rectify this until after five years. Is it Government's intention now to allow the Commission to continue to function without making it mandatory on it to have its accounts audited annually? Why is it that all other statutory corporations in the Region are empowered by law to have their accounts audited annually and it is only in this case that Government has decided not to call upon the Commission to have its accounts audited. We will not oppose any means adopted by Government to regularise what the Premier now refers to as an omission, but I think it is a serious matter to treat the Eastern Nigeria Sports Commission very differently from the other Corporations in the Region. Does the Premier really seriously want us to agree that this, out of all other Corporations in the Region, should be given this statutory power not to have its accounts audited annually? It is a very serious matter on which I would like the learned Attorney-General to direct us.

**The Premier:** Put your question again.

**Mr Eyo:** Is it the intention to allow this, out of all other Corporations in the Region, to have a free hand not to have its accounts audited annually?

**The Minister of Justice and Attorney-General:** My impression is that section 26 provides that the auditors shall be appointed annually but we now want Government auditors to audit their accounts instead of making annual appointment of auditors; i.e., instead of providing for the auditors to be appointed every year, we should have a standing auditor, for instance a Government auditor, and then do away with the word "annually". That is my understanding of the Bill. It is the periodical appointment of auditors that this Bill wants to avoid. Section 26 reads: "The accounts of the Commission shall be audited by auditors appointed annually by the Minister". Now it will read: "The accounts of the Commission shall be audited by auditors appointed by the Minister". We want to remove the word "annually". As it is the Law that enjoins the Minister to appoint an auditor every year. This Bill avoids that. The Minister can now appoint a man for ten years or so, as the case may be, or ask the Government auditor to go and audit the accounts.

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**The Premier:** I am informed, as a matter of fact, that the accounts shall be audited by the Government auditor every year; but the Minister had not appointed him formerly and to regularise that, it is proposed to delete the word "annually". But it does not mean that the accounts will not be audited annually. They will have to be. So there is no difficulty whatsoever—in fact this is one of our best Corporations which have done very well and I hope the Opposition will therefore accept the amendment.

**Mr E. O. Eyo:** I agree with the Premier and the learned Attorney-General. But my view is that "annually" has been wrongly placed. If what the Premier and the Attorney-General say is to be effected, what of if we have the section to read: "The accounts of the Commission shall be audited annually by auditors appointed by the Minister"?

**The Minister of Justice and Attorney-General:** But then that may well prevent a surprise check. That is the point I am making—that will make the auditor audit only once a year, whereas he may want to audit it at some other times.

**The Premier:** Section 27 says: "As soon as may be after the end of each financial year the Commission shall forward to the Minister

a full report of its operations during the preceding year together with a certified copy of the audited accounts of the Commission". So that is covered. Agreed?

**Mr E. O. Eyo:** Agreed.

*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 1-4 agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported without Amendment, read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the appropriate Message.*

#### ADJOURNMENT

Resolved: That this House do now adjourn.  
(*The Minister of Finance, Dr S. E. Imoke*).

*Adjourned, accordingly, at five minutes past one o'clock p.m.*

## EASTERN HOUSE OF ASSEMBLY

Wednesday, 9th November, 1960

The House met at Ten o'clock a.m.

## PRAYERS

(Mr Speaker in the Chair)

## ORAL ANSWERS TO QUESTIONS

## Scholarship Award

51. **Mr J. M. Ito** asked the Minister of Education, why the application for Scholarship Award from Mr S. E. Essien of Belfast University was not considered by the Scholarship Board despite the strong recommendation of his application by the Eastern Regional Commissioner in the United Kingdom.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):** I am directed to answer as follows :—

Post-Secondary Scholarships for 1958-59 were awarded to scholars who gained entrance to only University Colleges in West Africa. As these scholarships were automatic it was not necessary to invite applications. Mr Essien, however, applied in October, 1958 through the London Office for an award. His application was returned by that office because the scheme did not extend to scholars studying outside West Africa. Mr Essien was however advised to reapply when the scheme for the 1959-60 scholarships was announced.

The scholarship scheme for 1959-60 as published in Official Document No. 3 of 1959 however made no provision for Post-Secondary Scholarship outside West Africa. Mr Essien appears to be aware of this policy and has, therefore, not applied for a scholarship.

**Mr E. O. Eyo:** Is it the Government's policy not to award Post-Secondary Scholarships outside West Africa?

**Mr Agim:** I say yes, as far as some types of scholarships are concerned. Outside what we call "Public Service Scholarships" we restrict the award of Post-Secondary Scholarships to Universities and Colleges in West Africa.

## Scholarship Awards

53. **Mr Nnabu Nweze** asked the Minister of Education, how many Government scholarship awards are due to Abakaliki Division or District Councils in Abakaliki Division during 1959-60 financial year.

**The Parliamentary Secretary to the Ministry of Education (Mr D. S. A. Agim):** I am directed to answer as follows :—

Abakaliki Division was entitled to the following scholarships in 1959-60 :—

|   |     |   |
|---|-----|---|
| Post-Secondary (By Division)                      | ... | 4 |
| Secondary-Grammar School<br>(By District Council) |     |   |
| Abakaliki U.D.C.                                  | ... | 5 |
| Izzi D.C.   | ... | 5 |
| Ishielu D.C.                                      | ... | 5 |
| Ezzikwo D.C.                                      | ... | 5 |
| Technical Scholarship<br>(By District Council)    |     |   |
| Abakaliki U.D.C.                                  | ... | 1 |
| Izzi D.C.   | ... | 1 |
| Ishielu D.C.                                      | ... | 1 |
| Ezzikwo D.C.                                      | ... | 1 |
| Teacher-Training<br>(By Constituency)             |     |   |
| Ishielu Constituency                              | ... | 4 |
| Izzi Constituency                                 | ... | 4 |
| Ezza Constituency                                 | ... | 4 |
| Izzi North Constituency...                        | ... | 4 |
| Ikwo Constituency                                 | ... | 4 |

Public Service Scholarships are not awarded on Divisional or District Council basis. It is therefore not possible to say how many are due to Abakaliki Division.

Government Printing Press Staff  
Resignation

63. **Mr M. N. Yowika** asked the Minister of Internal Affairs, how many people have from 1957 to 1960 resigned from the Government Printing Department; what are the reasons for their resignation; what steps is the Minister taking to prevent future mass resignations from the Department.

**The Minister of Internal Affairs:** 55 people, of whom 40 were Printers, Grade III, have resigned from the Printing Department since 1957. 20 gave no reasons for their

[Mr I. U. AKPABIO]

resignation. 20 resigned for health or personal reasons, 9 resigned in order to pursue further studies and 6 to take up other employment.

It is not considered that the current rate of resignations is unusually high. Only 2 Printers Grade III out of a total of 62 have resigned in 1960. The majority of those who resign are young school leavers with less than 2 years service and it is common knowledge that young school leavers do not settle down easily. Approval has recently been given to the recruitment of a limited number of selected Secondary III holders as Printers, Grade III as they seem more likely to stick to the trade than School Certificate holders.

**Mr Achara:** Is the hon. Minister aware that at the present moment the staff of the Government Printing Press in this Region are on strike; if yes, would he connect the strike with the issue of resignation we have just heard?

**The Minister of Internal Affairs:** As to whether they are on strike, I would say yes; to the other part of the question which is whether they are connected, I would say they have no connection.

#### Nigeria's Independence Celebrations

66. **Mr J. A. Agba** asked the Minister of Internal Affairs, the basis on which the allocation of money for Independence Celebrations was made to the Administrative Divisions in Eastern Nigeria—why did some Divisions with larger population receive less than those with smaller population.

**The Minister of Internal Affairs:** The funds available for Independence Celebrations in the Provinces were allocated by me to Provinces on a population basis. I gave instructions to Provincial Sub-Committees to see that Independence was brought to the doorstep of every citizen and such Committees arranged for celebrations to be held on provincial, district and local council level. I have no details of the break-down of funds to Divisions but it is clear that because of the need to hold celebrations at provincial level and in some cases to erect monuments to Independence at the provincial headquarters, each division did not get its share strictly on a population basis.

I am, however, not aware that some Divisions with a larger population received less than those with a smaller population.

**Mr Agba:** Now that the Minister is aware of the fact that some Divisions with larger population received less than those with smaller population, is he prepared to do something to remedy the situation?

**The Minister of Internal Affairs:** When I answered the question, at the close of it, I said "I am however not aware that some Divisions with a larger population received less than those with a smaller population".

#### BILLS PRESENTED

##### (1) Incorporation

Bill to amend the Incorporation (Ministry of Finance) Law, 1960, to repeal the Cinema Corporation of Nigeria Law, 1955 and for connected purposes; presented by the Minister of Commerce, Mr J. U. Nwodo; read the First time; to be read a Second time Today.

##### (2) Development Corporation

Bill to amend the Eastern Nigeria Development Corporation Law, 1954, to repeal the Tourist Corporation of Eastern Nigeria Law, 1955, and for connected purposes; presented by the Minister of Commerce, Mr J. U. Nwodo; read the First time; to be read a Second time Today.

##### (3) Laws of Eastern Nigeria

Bill to declare the commencement of certain Laws of Eastern Nigeria, presented by the Minister of Justice and Attorney-General, Mr M. O. Ajegbo; read the First time; to be read a Second time Today.

#### ORDERS OF THE DAY

##### (1) The 1960-61 Eastern Nigeria Supplementary Appropriation Bill—Second Reading

(First and only Allotted Day)

*Order read for resuming Adjourned Debate on Question (8th November)—That the Bill be now read a Second time.*



Mr E. O. Eyo (Uyo Division): I rise to speak in support of the Supplementary Appropriation Bill. The debate, Sir, on the Second reading of this Bill, is to be confined to the discussion on Government's financial policy and the economic development of the Region. With the very limited time at my disposal, I will only deal with recent statements made by the Premier on this vexed and controversial subject of nationalisation of industries in the Region; statements coming from the Premier who incidentally is National President of the N.C.N.C. must be regarded as policy statements.

I refer to two recent public statements made by the Premier last month. The first statement was published in full by the *Nigerian Outlook* issue of 20th October, 1960. The second statement was in a report of a Press Conference called by the Premier and reported by the *Nigerian Outlook* in its issue of 29th October, 1960. I will read paragraphs 1, 3, 5 and 6 of the first statement.

*Outlook* of 20th October:

"My attention has been drawn to a statement on nationalisation credited to the Eastern Working Committee of the N.C.N.C.

"It is important to recall that at the Kano Convention last year nationalisation was expunged from the N.C.N.C. manifesto unanimously. At the Lagos Convention in September this year, all references that might be even vaguely interpreted as nationalisation were defeated.

"There are many roads to socialism and the N.C.N.C. has definitely not chosen the road to nationalisation. The greatest need of Nigeria today and especially Eastern Nigeria is capital to develop our potentially rich natural resources. Since there is very little capital in Nigeria, most of this much needed capital must come from outside.

"It is also well known that there is a stiff competition for such capital. At the moment, for instance, we need outside capital for our huge agricultural and industrial programme. One hundred million pounds could properly be spent in Eastern Nigeria in the next five years without causing inflation."

I will now read from the *Nigerian Outlook* of 29th October, 1960.

"Dr M. I. Okpara, Premier of Eastern Nigeria and National President of the N.C.N.C., said yesterday that the greatest sabotage any Nigerian could think of today was the 'nationalisation of private industries'.

"The Premier, who was addressing a Press Conference in his Lodge, said the Government of the East and the N.C.N.C. had made it abundantly clear that they did not stand for nationalisation.

"Nationalisation, he pointed out, was not a party issue; it was not a matter of doctrinaire politics. It was a matter which affected the nation.

"Dr Okpara said it was suicidal for any Nigerian patriot to advocate nationalisation when it was clear that the country needed foreign capital in order to develop her resources.

"The Premier challenged the view that a socialist State could not be attained without resort to nationalisation. He thought those who held this view were either ignorant of the current thought on the subject or were paid agents of foreign interests who might wish to scare away foreign investors from Nigeria.

"Various countries had applied socialism to suit their special problems. In Russia, it was full-scale Marxism which was fascism in practice. 'We are not Marxists; we are no Communists', the Premier stressed. Those who were advocating nationalisation of private industries were communists and they should have the moral courage to say so.

"Defining socialism as fellowship, freedom and opportunity for all, Dr Okpara said the N.C.N.C. believed in this principle. The party believed that there could be room for the inter-play of private and State capital without compromising socialism as an end."

Mr Speaker, in denouncing socialism and nationalisation the Premier branded the advocates of nationalisation as communists. If the Premier's statements are indeed a

[Mr E. O. Eyo]

reflection of any shade of political opinion in the N.C.N.C. camp then I warn that they must be taken very seriously as constituting a challenge not only to the N.C.N.C. constitution but also to enlightened public opinion in the country today on nationalisation. I repeat, enlightened public opinion in the country today on the question of nationalisation and socialism. According to the N.C.N.C. constitution one of the political objectives of the N.C.N.C. as a political party is the projection of a Socialist Commonwealth in Nigeria. The questions I am bound to ask are: What brand of socialism does the N.C.N.C. believe in? What are the socialist doctrines of this N.C.N.C. brand of socialism?

**The Parliamentary Secretary to the Premier (Mr J. O. Umolu):** Point of order. Standing Order 30 (2):

“A Member must confine his observations to the subject under discussion and may not introduce matter irrelevant thereto.”

We are now debating the Supplementary Appropriation Bill and I cannot see what this Bill has got to do with nationalisation and Socialism.

**Mr Speaker:** I suppose the hon. Chief Whip of the Opposition knows fully well that he must confine himself within the limits of the Supplementary Appropriation Bill. I should allow him to continue if he does this but I have to warn that anything outside this is strictly irrelevant.

**Mr E. O. Eyo:** We are now debating the Supplementary Appropriation Bill and what I am saying now is related to this Bill. Our Standing Order says that a debate on this Bill must be confined to Government's financial policy and the economic development of the Region. Now, the Premier has made public statements which enunciate his Government's financial policy in relation to the economic development of the Region. We have had no chance to reply since the statements were made. If the Premier had submitted a White Paper on it we would have taken the opportunity now to reply. This is the only opportunity for us to place our case on record about Government's policy on nationalisation of basic industries in this Region.

**The Minister of Finance (Dr S. E. Imoke):** Point of Order. In repeating that point of order I would like to make it clear that I never made any reference in my speech to nationalisation or socialism and the Premier too never made any reference to these two subjects in this House. I am the Minister of Finance and I presented the Supplementary Appropriation Bill. It has nothing to do with socialism and nationalisation.

**Mr Speaker:** Mr Eyo can continue.

**Mr E. O. Eyo:** I am happy that the Premier is now here.

**The Minister of Finance:** Please start all over again.

**Mr E. O. Eyo:** The questions I would like to ask are: What brand of socialism does the N.C.N.C. advocate and what are the socialist doctrines of this N.C.N.C. brand of socialism? We of the Action Group believe in democratic socialism irrevocably committed to the creation of a welfare state. I will now proceed to state some general socialist doctrines and I am inviting the Premier to accept or reject any of them.

(1) Socialism requires the public ownership and operation, in the interests of the whole community, of the basic industries concerned with fuel and power, transport and the essential raw materials on which the entire economy depends.

(2) Public control over these basic industries is essential to effective economic planning.

(3) Nationalisation of such industries as a means of placing in the hands of the state the lever which could control the whole economy.

(4) The concept of central economic planning as a *very* necessary factor in the socialist commonwealth.

(5) A policy of full employment demands the effective control of currency and credit through national ownership of the Central Bank.

The acceptance of these general doctrines prompted the British Labour Governments of 1945 to 1951 to launch their extensive programme of nationalisation. I repeat: The acceptance of these general doctrines prompted the British Labour Governments of 1945 to 1951 to launch their extensive programme of

nationalisation. The Bank of England was nationalised in 1946. I refer to Bank of England Act of 1946. This was a bank which had been a chartered Corporation for centuries, but was nationalised by the British Labour Government against stiff opposition of the Conservatives. The Coal Industry was nationalised in 1946. I refer to the Coal Industry Nationalisation Act of 1946. The British Railways were nationalised in 1947. I refer to the Transport Act of 1947. The Air Services were nationalised in 1949. I refer to the Airways Corporations Act, 1949, and Air Corporations Act, 1949. Gas Industry was nationalised in 1948. I refer to Gas Act, 1948.

Electricity was nationalised in 1947. I refer to Electricity Act of 1947. Iron and Steel Industry was nationalised in 1949. I refer to Iron and Steel Act of 1949. I am citing these industries which were private enterprises before the Labour Government decided to nationalise them. The Labour Party lost the general election in 1951. The Conservatives won and took office and have remained in office since 1951. I now ask—What has been the Conservative Party's reaction to the Labour Party's extensive programme of nationalisation? The answer is clear. Only two basic industries since 1951 have been denationalised by the Conservative Government: Iron and Steel and the road haulage industry. It will interest the House to know that Atomic Energy was nationalised by the Churchill Government in 1954 by the setting up of the Atomic Energy Authority to carry out Conservative Government's policy both in the military and civil spheres. Sir Winston Churchill told the House of Commons that although the Conservative Party was opposed to the nationalisation of both industry and services, his Government accepted nationalisation in the case of the Coal mines, the Railways, the Air Lines, Gas and Electricity Supply. The Conservatives repeated this policy in the campaign Guide for the 1955 General Election by declaring publicly that while opposing further nationalisation, Conservatives would "do everything possible to make a success of those industries remaining nationalised."

**The Minister of Information (Mr B. C. Okwu):** Point of Order—Standing Order 30 (2). I think what the hon. Member has been saying has no relevance to the economic or financial state of the Region.

**Mr Speaker:** It is a little difficult to decide on this issue, but as the matter under discussion is Supplementary Appropriation the hon. Member concerned cannot be said to be irrelevant. Mr Eyo may still continue.

**Mr E. O. Eyo:** Thank you Mr Speaker. The point I was making is that the Conservatives in the General Election of 1955 came out with this significant declaration, that while opposing further nationalisation, Conservatives would "do everything possible to make a success of those industries remaining nationalised. Such action is essential in the national interest".

I repeat "Such action is essential in the national interest". That is the point I wanted to make and it is a key and fundamental principle of socialist doctrine, namely, that where there is a clash or conflict between private and national interests, Socialists all over the world will abandon private interests in favour of national interests. Sir, the whole question of State intervention in the ownership, operation or regulation of industries and services is a world-wide movement operating throughout the whole world. I repeat, Sir: the whole question of State intervention in the ownership, operation or regulation of industries and services is a world-wide movement operating throughout the whole world not only in the highly developed countries of the Western democracies, but also in the underdeveloped countries of Asia and Africa. In fact State intervention is an important feature of all political democracies in the world whether they claim to be based on private enterprise or on what is known as mixed economy. Now, Sir, let us examine the main categories of public undertakings throughout the whole world in relation to this vital question of nationalisation. We have the public utilities, like water, gas, electricity, ports and harbours. Then we have transport and communications; then we come down to the vital question of banking, credit and Insurance. Here, Sir, I wish to state that the four great banks in France have been nationalised. In Italy, the three most important commercial banks have been nationalised and in the United States of America, I may mention the Farm Land Banks, the Federal Intermediate Credit Banks, the Production Credit Corporation and the Reconstruction Financial Corporation. All these are public Corporations set up by the Federal

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Government of the United States to finance economic development.

**Mr Speaker:** The hon. Member has only two minutes more.

**Mr E. O. Eyo:** Now, Sir, I need also to mention the multi-purpose development projects like the Tennessee Valley Authority (TVA) initiated by President Roosevelt and the Volta River Scheme in Ghana.

**An hon. Member:** Are they going to nationalise that.

**Mr E. O. Eyo:** The Volta River Scheme is another example of a river project, a public undertaking which will transform the economic and social life of the people of Ghana. Now, Sir, the main thing that the Premier should consider is how to allay the fears of foreign investors in the Region. He had raised this in his public statement.

**The Minister of Information:** When are you going to nationalise the National Bank?

**Mr E. O. Eyo:** May I state, Sir, that in our own view there are only two ways by which he and the other Premiers including the Prime Minister can allay the fears of foreign investors in Nigeria. The first is to give a categorical assurance that all the capital invested in Nigeria is safe from what is generally known as expropriation or confiscation. If the Premier of the Region and the other Regional Premiers and the Prime Minister can give this assurance that all capital invested in Nigeria is safe from expropriation and confiscation and in the event of any Government deciding on nationalisation of any industry or undertaking that adequate compensation on the basis of the market value of the capital will be paid, that will allay the fears of foreign investors. But the Premier has not done that. He keeps on talking about the N.C.N.C. having abandoned nationalisation. If you will allow me, Sir, I will make suggestions to the Government before I sit down. If he is satisfied, that the whole economy of the Eastern Region rests on palm-produce industry, what has he done to protect this industry? At the moment we have only the Marketing Board which is only concerned with the marketing of this produce; but the

farmer produces oil and kernels which are bought by expatriate firms. What we would like the Premier to do is first of all to get the Marketing Board of the Region to take over the Bulk Oil plants, and then get the Co-operative Societies in the Eastern Region and all Nigeria middlemen to have licence as Produce Buying Agents so that Co-operative Societies in the Region and the Nigerian middlemen will actually control production and marketing of the palm produce. They will be direct agents to the Eastern Regional Marketing Board. At the moment every farmer who produces palm oil is suffering since the middlemen and Licensed Buying Agents make all the profits. The Government should consider the suggestion very seriously.

**Mr Speaker:** You have exceeded your time.

**Mr V. K. Onyeri (Port Harcourt Division):** I think that during the debate on the Appropriation Bill we have to confine ourselves perhaps to one important aspect of it and that is how the Government of Eastern Nigeria can try to accelerate the pace of the development of the Region so as to help our economy. I think that the issue raised by my hon. Friend from Uyo is a very important one because many of us are affected especially the Member speaking now from a Division that is highly industrialised and I would like to say something about it. It is very unfortunate, I must say, that in this Region we should be the first to talk about nationalisation of industries. I will have to draw your attention to the years 1951-3 in this hon. House.

I have to draw your attention back to the years 1951, 1952 and 1953. During those years we were being mocked at, both in this hon. House and in the Federal House of Representatives, and were being told that ours was a very poor Region indeed. Today, I will say that our position is bright and we look healthier than we used to be, because the Government of the Region has been trying its best to see that the economy of the Region and the income of the people are raised to the highest standard. In this House we had been telling our Government to go out into the whole world and see whether it could attract investors to the Region. This, the Government has been doing, and I am happy to say that we all appreciated it. But unfortunately immediately after Independence

we are now trying to mar the good record of the Ministers of the Eastern Region. That is why I support the statement of the Premier of the Region and National President of the N.C.N.C. In fact, if you ask me, I will say: let us leave off theory. Theory is good, but if we apply practical experience to some of the things that we do, we will see that theories, after all, do not even lead to a very good answer. May I just put this one question to you: What would have happened to the thousands of school leavers in this Region but for the investors coming into the Region to invest their money? Let us think about that. We have been turning out so many school leavers. Here I have to thank the Shell-BP (as well as some other big organisations) that has spent sixty million pounds sterling in this Region. When an hon. Member catalogued that the Bank of England was nationalised, the Coal Industry in England nationalised, British Railways nationalised, Air Services in England nationalised, Gas Industry in England nationalised, we were never told that the Bank of America in England was nationalised by the Labour Government. We were being told that all these industries nationalised by the Labour Government were the property of the British people. Here we are asking other people to come and invest their money in the Eastern Region, or in the Federation for that matter, and we turn round to say: "If you put your money here, we are going to take your money". That is why I want it to go on record that we do not want to steal another man's property. We must nationalise that which we have and not nationalise what we have not. I think that there is no need for the Members here to break their necks over this issue. The only thing is that I am very happy we have been given the opportunity in this hon. House to debate this issue and to make the whole world know that the Eastern Region is very safe for them to come and invest their money, so that we may grow as a nation, like other nations in the world. I support wholeheartedly the statement made by the Premier and the Government.

**Mr G. C. Okeya** (Owerri Division): I feel like contributing also to this controversial issue. In the first place, the first speaker on this matter of nationalisation, the hon. E. O. Eyo, tried to give us a little lecture on socialism. Now, it is really very good to talk of socialism or democracy, but most of us do not understand

how these terms or "isms" originated. In the first place, I must make it abundantly clear to all Members that there is no one form of government that one can say is the best in the world. Even democracy itself is not the best form of government. Any form of government that suits a nation is the best form of government for that nation. Now we talk of socialism. Great thinkers have all agreed that there are two forms of socialism, namely, revolutionary socialism and evolutionary socialism. The former leads to communism and the latter to liberalism or to the political policy which evolves with the stages of development of the people or social progress. The latter does not support control or nationalisation of private enterprises and industries but allows equal opportunities and distribution of social amenities and public utilities. What the Government or the Premier of the Eastern Region stands against is that type of socialism which tries to have full control of private industries. The Government, the Premier and all of us are against that type of socialism. The nationalisation that we want is the one that will suit us; the one that is to the best interest of the people. We have, for example, Health which is under the control of Government, and other Corporations under the control of Government. So it is wrong politics, very bad politics indeed, to begin now to talk about nationalisation of private industries. We do not want that type of nationalisation. I am now giving it as a challenge to the first speaker on this matter, let the Western Nigeria Government begin the nationalisation of private industries in this country. They have not done it.

To conclude, we must, as the last speaker has said, give it as a warning to those who dabble in this type of politics, that it will not help the nation. We do not want that type of nationalisation.

Mr Speaker, Sir, to wind up, I really associate myself with the stand taken by the hon. Premier.

**Mr E. U. Eronini** (Owerri Division): I rise to support the Supplementary Appropriation Bill. We have heard much of nationalisation.

I must shower praises on the Minister of Health for what he has so far done in connection with our Pharmacists and Doctors.

[MR ERONINI]

He should also look into the complaints about some of our Pharmacists and Doctors who spoil his work by selling poisons to ordinary laymen in the street and put them under control. If they are prepared to pay £15 for each Drug Store opened, I think Government will make money out of that rate and for the Pharmacists who in addition are prepared to open other stores elsewhere, they will have to pay £50 for every other drug store opened and that will bring in gain.

Mr Speaker, I am sorry to bring before you through the Supplementary Estimates a complaint that nothing has been said about the heap of sand along Awka-Owerri-Orlu road. The heap of sand is being cleared away by rainfall and the road is worse than it was before. I hope something will be done by the Minister of Works to that effect.

There is some work being done at the bridge of Imo River between Owerri and Owerri. One doubts what is likely to happen to that river. Are we likely to have a good bridge there in the next ten years, from what I see there? I do not know who are responsible, but the two bridges on the Federal road between Owerri and Aba have such work being carried out that seems not even like that of a local council, much more to think of a Federal Government. When one travels between Awgu and Enugu—the most surfaced road to travel—one has an opinion; but you cannot travel on that road now; if you do, when you get back, your car is entirely damaged and you must have to send it to the garage. I think the Minister of Works should do his best to see that our short roads are well looked after, especially the road between Awgu and Enugu. After all, you are preparing to build the Houses of Parliament and the Ministerial Buildings at the New Independence Layout, and we hope to have better roads for the common man to visit our Ministers there.

**The Premier:** You don't have to talk like that; you are getting old.

**Mr Eronini:** We would like it, some of us who are getting old, to run on good roads. We want the first things first and the second things second—and that is, we want better roads first and the buildings second.

**Government Bench:** Old men stay at home!

**Mr Eronini:** While still on roads, apart from the large sums of money being given to contractors buying bitumen and other imported materials, the time has come when we shall be getting most of our bitumen from our mineral oil, if only the Government of the people will press on the Shell-BP to build the Refinery as early as possible.

**The Premier:** £12,000,000! Go and build it; why Shell-BP? Let Eyo go and build it; when finished, it will be nationalised!

**Mr E. O. Eyo:** Go and buy practical experience.

**Mr Eronini:** There is yet another point: the scramble nowadays with our Missions is to build Secondary Schools, especially now that the ban is lifted; but care must be taken to see that some of the Missions do not grabble all the suitable places for Secondary Schools and it must be known that not only should the posts of teachers be Nigerianised in these schools, but the control, both of finances and entire control of the management of the schools should be invested in the Nigerians. It must also be known that the time is coming when the management of these schools will be invested in the natives when they have risen up within their own community; otherwise, the time will come when we shall have to ask these Missions to hand over these schools to the community and then it will be war!

There was a time—and I think it still holds good now—when this Region was considered the poorest among the other Regions of the Federation; but there is one thing we are proud of: it is knowledge. We have young brains, able men to go about. We must be prepared to lend them to the Federal Government, otherwise, the time shall come when we shall say that we have no hands in the running of the Federal Government and more or less, like the Scotts, we are prepared to go anywhere. Time will come when we will want a space in the Federal Government and we will not get it. We must be prepared to lend our men now, because one man sent out there takes another hundred people to that place. The only way we can do it is by sending our men before the time.

Though in my own district we have been cheated in almost everything, we have applied for a secondary school and we have been told that because there are some secondary schools in Owerri as a Division, other districts within that Division could not be looked after. Time will come when the Government will consider that urban areas like Port Harcourt, Aba, Owerri, Umuahia, Onitsha, Calabar and Uyo should not be taken into consideration when allocating secondary schools to the rural areas. It must be known that in the urban areas the school population does not reflect on the natives of those areas, but it does reflect on those who go there and on those whose relatives migrate to those places to attend secondary schools. We are asking Government that Mbaitoli should be considered in the allocation of secondary schools.

**Mr J. O. Ihekwoaba** (Orlu Division): I am reminding hon. Members that this House is not a platform for creating confusion or dirty politics. We have come here to approve the Supplementary Estimates prepared by the Government and not to cause disturbance. I am referring to what the hon. Member who spoke first said about nationalisation of industries. This matter has been thrashed out by the Premier. He has said it over and over again that he is not in favour of nationalisation and we should no more make capital out of it. Now that we are free we will no more go to call our Godfathers again to come and help us in the event of any trouble. I believe we are not going to cause any trouble similar to the historic 1956-57 Foster Sutton Tribunal; rather we have come here to approve the Supplementary Estimates.

May I remind the Government that it is the duty of hon. Members to go round the whole Region in order to find out what is wrong and put it right. At the same time I am of the considered opinion that the sooner we establish more Magistrate's Courts the better. The number of Magistrate's Courts in the Region is not enough to cope with the number of cases coming in. The more the country is developing the more criminals are developing. Many cases have been hanging on for years now, some of them since 1956. I could remember a person who had a criminal case and was bailed by somebody; this case kept hanging in court for over nine months until one day he was

absent and was arrested and jailed. This state of affairs makes some people stop bailing accused persons. I am therefore calling upon the Government to look into this and find ways and means of establishing more Magistrate's Courts in the Region; the number at present is not sufficient to cope with the number of cases. If more Magistrates' Courts are established we would have qualified lawyers to take up cases and less criminal cases will be experienced. At the same time, if you go to some of these courts you will see that in some criminal cases ordinary laymen who pose as policemen take up prosecution. You will see a gang of lawyers defending criminals and when they quote laws, the policemen will not reply because they are not qualified in law. Therefore, I am appealing to the Government that in most Magistrate's Courts some Crown Counsel should be employed to take up the prosecution of criminals. We who always go to court do experience these things and it is there that we discover that most of the criminals are set free. I am not talking for myself but for everybody.

Rogues have infested the Region. The more these rogues are being set free the more they disturb people, and some of them do study the art of stealing and especially the ones they know they will be set free when put to court.

The Government is asking people everywhere to team up in business, but the Government must realise that one must develop his own business first before teaming up with others in partnership. The idea of Government helping companies and not individuals is not quite good because, first of all, if a business is not running well no one will join in it. Therefore Government should try to assist any other businessmen other than companies. For instance, Maternity Homes are being built by some midwives and these midwives require some assistance. Government should assist them in building their Maternity Homes, for if no assistance is given such business will not run well.

**Mr A. Onyewuchi** (Owerri Division): Mr Speaker, Sir, we who have been watching this game of Government from the sideline, sometimes with very critical eyes, do know the Governments in the Federation that deserve praise.

[MR ONYEWUCHI]

The Government of Eastern Nigeria has achieved much to be proud of. This Government, in our consideration, is unique in some very important respects. It has been able to build a stable, strong democracy. In this Region, democracy has become a feature of the Government and a way of life of the people. This is the only Region "where no man is oppressed."

The Government of this Region is very realistic in tackling its problems. The hon. Ministers show very keen understanding of the problems of the people and great ability and readiness to grapple with them. It is no exaggeration to say that the Eastern Region can boast of having achieved the greatest material progress in the whole of the Federation. When I talk of the ability of the Government, I think an example will convince you. When this Government was formed, an alarm was raised in this Region about the poverty of the Eastern Region and the imminent collapse of the Government, but the Ministers have shown such extraordinary ability that by very careful and wise budgeting this Government has been saved from folding up. Now the Government is growing richer and waxing stronger from year to year.

The Government has endeared herself to all sections of workers in the Region. It has wiped out the unprogressive and discriminatory rates of pay between civil servants and Voluntary Agency teachers and nurses. The employees of Voluntary Agencies were in the past treated as a race apart, ostracised from decent society and in fact condemned to die in poverty, want and misery. It was from this plight that the Government have redeemed them and given them the joy of living in their own country.

This is really a very progressive Government which has given the lead in the provision of social services especially in Education and Health. On Education, Sir, I must say that the crowning glory of the achievement of this Government in Education is the establishment of the University of Nigeria at Nsukka. One other factor is the promotion of non-graduate teachers in Voluntary Agencies to the extended scale. In fact, this scale has existed only on paper but now several teachers have been

promoted to that scale and it is a great relief to the spiritual depression in the teaching profession.

It is in this connection, Sir, that I must say that promotion should be extended to all grades of teachers. It should be based on class-room efficiency. At present promotion is based on success in prescribed examinations. I think that class-room efficiency of the teacher must be recognised and must be rewarded. We know that there are some devoted and efficient teachers who have not been encouraged because they have not passed the prescribed examinations. As teachers we should not forget our books but there are some teachers who spend their whole time preparing for their private examinations and do so at the expense of the children. Most of these are bad class-room teachers. If it is worked out that a teacher has been efficient in his grade for a number of years—say about seven years in one grade and has shown competence—that teacher should be raised to the next grade whether or not he passed the prescribed examination. This will encourage hard work among all grades of teachers and it will also raise our standards.

Mr Speaker, one other factor militating against efficiency in our schools is the indifference of Education Officers or the omission of Education Officers to visit schools regularly. I know a number of schools which have not been visited for ten or fifteen years. Where then lies the vigilance on the part of Education Officers that is conducive to hard working in schools? If Education Department is short of staff, there are experienced teachers who could be promoted Visiting Teachers to inspect schools and report on their work at least once a year. This method, will, I think, pay dividends in raising standards.

The other point on Education I would like to raise is what is known as the Assumed Local Contribution. This should be looked into because in most cases, it has contributed to the backwardness in our educational system. I must hold, Sir, that the whole of the Primary Education system should be reviewed and when that time comes I shall make my contributions as an educationist.

Our scholarship scheme has made nice progress, but I should suggest that future



awards should be made in consideration to the urgent needs of the Region. In the case of secondary schools scholarships, the sort of "hand picking" as at present does not seem to do. There should be a competitive examination where all students should have fair chances of going in. It should not be the question of only the few who are able to get the forms to fill and submit. This method will ensure that all our intelligent children should be given the chance. I think something must be done here.

On Health, Sir, the Government rightly attaches great importance to the health of the people and from the number of hospitals and maternity homes and rural health centres established by Government, one would agree that much has been done in this direction. I think every Division in the Region has got a modern hospital.

I think it is time Government returned to some of the old hospitals which are now completely out of date, and in this respect I should say that Owerri Hospital is an eye-sore in this Region. Equipment and buildings are completely out of date. In fact, I should quote a junior Minister who saw it recently. He said to me: "It is not a place for any decent person" and I believe him. I make bold to say that Government should rebuild and equip this hospital on modern lines or burn it down to abate nuisance.

In industry, I think that attention should be paid to developing agriculture and establishing industries in the Region. For agriculture, there should be a drive for the production of good quality crops and a second drive on the establishment of various crops. Our wild palms have now outlived their usefulness. Various other kinds of cash crops should be introduced in this Region, and here I should suggest a soil survey so that each area knows exactly what is suitable for its cultivation.

One of the ways to encourage school leavers should be by making farming less laborious and more rewarding than at present. Instead of roaming in the townships to look for jobs school leavers should be encouraged to settle on farming and in fact farmers should be encouraged with loans and advised on how to improve the standard of their crops.

Fair progress is being made in the establishment of industry, but I think Port Harcourt is

somehow being overloaded with industry. Industrialists should be encouraged to spread into other towns and villages, and in this respect I know that Owerri has competing advantages for the establishment of several industries. In the field of industry I think we shall have much to gain if we worked in partnership with the more technically advanced and wealthier nations of the world. Agreements with foreign industries should make provision for the training of Eastern Nigerians in the various schemes. Any loose talk about nationalisation will scare away investors and technicians, and that will be to the eternal damnation of this Region. I believe that the nationalisation of private property has no moral justification. In fact nationalisation of private industries is robbery by the State. The firm stand taken by the hon. Premier of this Region on this question of nationalisation is commendable and reassuring, and I think it should have 100 per cent of the support of this hon. House. The Region should be rid of the dreamers of this pernicious and ungodly policy of nationalisation.

I am informed that the Judiciary is a sacred ground and Parliament does not tread upon it. But I only want to say that we are interested in justice and that everything shall have been lost in this country when the common man has to lose hope of justice in our courts. I believe the British have laid the foundation for an incorruptible Judiciary and we hope Nigerians will keep it up. We should appreciate the contribution that has been made to shape this country by the mercantile houses and the missionaries, and I hope our Government will continue to encourage them so that we can reckon on them in our present task of nation building.

**Mr M. N. Onwuma** (Aba Division): I beg to support the Supplementary Appropriation Bill. I would not like myself to be drawn into the argument about nationalisation. We have got no real things worth nationalising and it is unnecessary. But the action taken by Government to be in partnership with investors is very welcome. However, the essential thing is that Government should, on no account, give up its shares of the investments in this country at the moment.

May I on behalf of the rank and file of teachers in this Region thank the East Regional

[MR ONWUMA]

Government for going all the way to pay the teachers the 15 per cent Mbanefo awards in spite of heavy financial commitments of the Government. We are extremely very grateful. We shall unhesitatingly make our contributions at any material moment when invited to do so.

May I emphasise that the Ministry of Works which represents the Federal Ministry of Transport should know that the bridges at Owerinta and Olakwo are overdue to be completed. I said this before. They should be asked to quicken the building of these bridges which have taken five to seven years. Sometimes you will see the whole place abandoned completely.

I would also like to congratulate the Government on the measures which have been planned to increase the numbers of science teachers in this Region. The teaching of science is essential especially in this period, which is a mechanised period, when you have rockets, sputnik, and space satellites here and there. It is absolutely necessary that the modern science teaching should be emphasised. But unfortunately a large number of people, as a result of experience, is not inclined towards science and mathematics because these subjects are absolutely exacting. It is true that Government is trying to induce more and more people in that direction, but the natural ability will be an obstacle up to a certain extent. Let us hope that with the inducement a large number of good people will take to the study of science.

May I also thank the Provincial Commissioner, Abakaliki, for all that he has been doing to combat nudity in Abakaliki. He has gained for himself the name of "Commissioner for Nudity." (*No! No! from the Government Bench*).

The cost of staying in the Catering Rest House is becoming extremely unbearable: no one person can pay £3 a night to stay in the rest house; this is extremely expensive. The most expensive hotel in U.K. never costs up to £3 a night and when it does, you must get breakfast. Here, you don't get breakfast and it costs £3 a night. What is more important is that it is having a great deal of Government money because Government has to grant rebate.

Another point is that it is a fallacious argument that air-condition is always at all days suitable for a person. It is a wrong argument.

Whenever it comes up for the Premier to appoint a Governor, let him not appoint anybody who has financial interests in several things.

**Mr B. C. I. Obanye** (Onitsha Division): I beg to support the Supplementary Appropriation Bill. I must take this opportunity to thank the Government of Eastern Nigeria for all the advancements made since its inception in Education, Medical fields and also in Road Construction. All these go to the credit and foresight of the members of the Government.

Now, I notice in the Supplementary Appropriation Bill that Education takes up quite a large part of the revenue and I must also commend the effort of the Eastern Nigeria Government in this wise, and in particular the emphasis that has now been laid on the teaching of science in various schools. While doing this, I feel that we must also try to bring up our education to a certain level as would make the children of this Region less strangers in the Federation of Nigeria. What I mean by this is that if a young boy from our primary school goes to the Northern Region, he is a complete stranger there because he cannot understand the language. We fully understand that English should be the common language; but all the same in the Northern Region, Hausa is the language and in the Western Region, Yoruba is the language. Would not the Government consider introducing these languages in the primary schools and making them compulsory? What I mean is that it will make the children of this Region better citizens in this country. If in their primary school days they had the opportunity of understanding Hausa as well as Yoruba, it may certainly mean increase in expenditure by the Government but I think it is an expenditure worth incurring.

Now, the next point I would like to make, Mr Speaker, is this. If you travel outside Nigeria, for instance, to Abidjan, in French Ivory Coast, you will find that to get to this place will take about an hour or two hours' flight; but if you get there you become a complete stranger because you cannot speak French and it is really bad that we are thinking perhaps of having some sort of Union of West African States without giving our secondary schools the opportunity of learning at least the French language. I say that it would be a wise policy if the Government thinks it fit, to make

compulsory the teaching of French language in our secondary schools in the next financial year. This will make us better citizens of the world because the French language is not only spoken in France but also throughout the world; and it will better equip us also to cope with international matters.

Before I wind up, Mr Speaker, I will like to take this opportunity to congratulate the Minister of Justice for the excellent Bill introduced yesterday, that is the Fatal Accidents (Amendment) Bill and in doing so, I will also remind him that there should still be more room for improvements in the nature of advanced legislation. For instance, in this country, Mr Speaker, we have not got the modern procedure whereby a subject can institute proceedings against the Crown or against the Government. For instance, if a Government driver in one of the Ministries knocks down a pedestrian, such a driver invariably is a man of straw, and the pedestrian knocked down wishes to recover damages for the negligent action of the driver, he cannot proceed against the Crown in this country. He can only sue the driver. This used to be the position in England before the passing of the Crown Proceedings Act 1947 and that Act removed the whole difficulty of not being able to sue the Crown and put the Crown in exactly the same position as an ordinary subject.

I am quite aware also of the fact that item 21 of the Exclusive List of the Federal Constitution of Nigeria makes some provision relating to proceedings between the Federal Government and the subject and also between the Governments of the Regions but it does not preclude legislation by the Regions providing ways and means whereby action can be instituted against the Crown in matters involving the Crown and the subject. I would say that it is very essential that such Legislation should now be instituted in order to create better relationship between the people and the Crown.

I would draw the attention of the Minister of Town Planning to the complaints which probably he has been receiving of late from some people who are resident in Fegge. Fegge is a very unfortunate place in Onitsha. It has a hollow in between it; and that hollow is always full of water every year. This Government planned out Fegge as Crown land and collects premium from tenants there with a

view to using the premium in improving the area; up till now nothing has been done to drain this hollow. I would take this opportunity to urge the Minister of Town Planning to do all he can to see that adequate provision is made for the draining of this hollow.

**The Minister of Justice and Attorney-General (Mr M. O. Ajegbo):** I just want to reply briefly to some points made by hon. Ihekwoaba and my learned friend Mr Obanye. Since the last meeting of this House, I have had an opportunity of discussing the question of more Magistrates and better court houses with the Chief Justice and I may perhaps say that we are hoping to bring up at the next Budget Session the request for additional money to make available more Magistrates and better looking court houses.

As regards the point raised by Mr Obanye, which is very important, that is to enable individuals to sue the Crown—I can tell him that there is consultation going on now between the Governments of the Federation to enact a law on the lines of the English Crown Proceedings Act, 1947. That matter came up before the last Seminar on the Nigeria Constitution and we agreed that in view of the provisions of the fundamental human rights in the Constitution that time has come for a similar legislation. As I have said before, we are now consulting among ourselves and it may well be that at no distant date we may have a law on the lines required by my learned friend.

**The Premier (Dr M. I. Okpara):** Mr Speaker, I would not have elected to speak so early, but for the fact that I would be leaving for Lagos very early tomorrow and would therefore not have the opportunity of replying to the points made by the Opposition Chief Whip. They are so important that I have chosen to take them up right away as I did on an earlier occasion when a rather over-zealous party official had enunciated policies that were any but those of the N.C.N.C. What is most interesting in this rather healthy debate on nationalisation today is that it brings out very clearly the duplicity of the Action Group. There are many instances that will prove their duplicity to the hilt but I shall merely, for purposes of saving time, select only three.

[THE PREMIER]

The first is their foreign policy, the second is their relationship with the Prime Minister and the third is of course nationalisation.

On foreign policy, the Leader of the Action Group has said again and again that he favours alignment with the West. Whereas the Action Group itself has, in their last conference according to newspaper reports that we read, come out categorically in favour of non-alignment yet Chief Obafemi Awolowo continues to lead the Action Group. This is a very important point because international politics today is of such vital importance that we cannot afford to have a prospective and alternative Government not having a clearly defined foreign policy. What is the foreign policy of the Action Group today? The rank and file say non-alignment; the leader says alignment. Which is it? You cannot know. You do not know what they stand for. Before the election they went all over the world—to America and all over Britain and promised them heaven and earth in order to get their support to win. They said that if they won they would align with the West. They lost. Then his lieutenants shifted their position, but since he has recorded it in his biography, naturally he finds it very difficult to correct. He will stick to alignment.

The second one is their relationship with the Prime Minister. I received a very interesting telegram yesterday from the Leader of the N.C.N.C. in the Federal Parliamentary Party drawing my attention to this duplicity again. There you have the Premier of Western Nigeria praising the Prime Minister, lauding him to the sky and following him around the West. Then you have the Chief of the Action Group in the Eastern Region condemning him right and left. It is difficult to understand these people. Is the Action Group split into two now?

The third one is the one of nationalisation. You will recall that soon after Mr Mokwugo Okoye made his most controversial statement an Action Group spokesman over the N.B.C. said they supported. I do not know whether members noted it.

The next day all Action Group spokesmen, especially their Ministers and their Commissioner in U.K., condemned nationalisation.

Is that not so? They all condemned it unequivocally including the Western Premier, who, of course, is possibly forming a new party. Only two days ago in the East, Chief Awolowo has come out openly in support of nationalisation. That is really what I want the people of this country to examine. The Action Group can say one thing today and do another thing tomorrow and it is this duplicity that made it impossible for us to form coalition with them in the Centre. One cannot rely on them. One can trust the N.P.C. to stick to whatever they say and that was why we agreed to form the Government with them and thus left the Action Group in the cold.

I hope, Sir, that the Western and Eastern countries will note this duplicity with which they want to have the best of two worlds. It is much better to come out and advocate a policy of non-alignment, that is, not supporting any country, the East or the West. This is the policy of the N.C.N.C.

I now come to the vexed question of nationalisation and Socialism. Unfortunately, some elements in this country are trying to bring up this question because other countries have done it. Since 1944 the N.C.N.C. has made it abundantly clear that it stands for Socialist Commonwealth of Nigeria. Everybody knows that. At no time in our history have we ever advocated a policy of nationalisation.

I recollect that at our Kano Convention in June 1959, Mr Mokwugo Okoye cunningly tried to insert a phrase in our manifesto on nationalisation but the Party hawks spotted it out and reprimanded him, took it to the Convention and had it expunged. Those of our Members who were present there know this. He was seriously warned never at any time to bring up the matter at any future date because it was not our policy. Then later at our Lagos Convention last September, he tried to praise certain industries and wanted them to do certain things. But we said "No", because we knew that if he started to praise those industries the next move would be to advocate nationalising them. Because of that we told him we were not going to support his motion, and it was killed. So that on two occasions the highest organ of our party has made it plain what our stand is on this matter of

nationalisation. So, if there is anybody amongst us who had been supporting and speaking in favour of nationalisation I think it is becoming clear now for whom they were speaking and who actually asked them to make those statements.

There is a lot of confusion about socialism. Socialism does not mean nationalisation. Socialism means equality, freedom and fellowship. These are the three grounds on which socialism is built and certainly even a small boy can know what this means. It is true that you can decide to nationalise everything, even the air, land, buildings and can go further to nationalise people's opportunities but then when you do that you cut right across one of the fundamental concepts of socialism which is freedom, you begin to interfere with people's private freedom and what you have then has little or nothing to do with socialism. That is why those who have given time to the question and studied it amongst our rank and file have come to our point of view ever before the Labour Party at their last National Conference decided on the matter. We have come to the conclusion that it is possible to reach the goal of socialism without going the way of nationalisation.

Let me tell you a story my father used to tell me. There was a man in Nkpa who was a trapper. He used to trap grass cutters. Then one day he told his son that he had made one very fine trap. With it he said he was going to catch a big grass cutter. When he has caught it he was going to sell it for a very large sum of money and with this large sum he was going to buy a huge dog. Then the son said: "Papa, I will be carrying the dog". Then the father hit the child "You will give it worms". The trap had not been made; the grass cutter had not been caught and the dog had not been bought, but a father and son were quarrelling over the dog that did not exist.

I have a second illustration. Suppose there is an Easterner who lives in the Cameroons and the Government of that country warns him that if he puts up a building they were going to take it over. Do you think that that person will put up any building? (*Several hon. Members: No! No!*). This is just a plain fact that does not need going to read textbooks before knowing it.

I would like to repeat, Sir, that we aim at associating with outside capital to build the economy of this country in general and this Region in particular. This is the policy of this Government and it is the policy of the N.C.N.C. which forms the Government of this Region. I am happy to know that whilst the A.G. is talking of nationalisation their Government in the Western Region is saying an entirely different thing. I have gone through their manifesto in the last federal election. There is no mention of nationalisation anywhere there. Among the industries Chief Awolowo would like nationalised is the Nigerian Airways but, Mr Speaker, was it not Chief Akintola, the Deputy Leader of the Action Group who signed a 15-year contract with the B.O.A.C. to manage the Nigerian Airways?

It was the Action Group that signed the agreement. Chief Awolowo knew about it. He did not say a word then but now that he is not in power he comes to talk about nationalisation. Chief Awolowo should explain why he signed this agreement with the B.O.A.C. It was not done by the N.C.N.C.; neither was it done by the N.P.C. But the Action Group signed the agreement. Chief Awolowo talked about nationalising the insurance companies. That is a wonderful idea. But what has he actually done in the West? Chief Awolowo was in charge of the Western Regional Government up till December last year. It is a matter for regret that the Western Regional Government has not got the majority shares of the equity capital in the Insurance company they have started with private capital. Was he asleep then?

I notice that in talking about nationalisation, Chief Awolowo carefully avoided banks although banks are very important. Mr Fani-Kayode has disclosed that the Western Regional Government does not intend to do anything about nationalisation of banks as that will include the National Bank which is owned by some Action Group members. In the East here, the African Continental Bank is owned virtually by the State.

On the question of the Cement Industry at Nkalagu, the majority of shares are held by the Government. Let us take a look at other industries in this country. Some people are confused when they hear "nationalise". I

[THE PREMIER]

am, however, glad that Mr Onwuma has already mentioned that most of the industries belong to the Government or belong to Corporations or are partnerships between Government and Private Capital. Let us take a few examples. I hope that after this the whole idea of nationalisation will be dead and buried.

Let us examine whether the Railways is a private or public company. Of course we all know that is a public corporation. So is the Ports Authority and the Electricity Corporation. I need not mention the Coal Corporation which as hon. Members are well aware belong to the nation. With regard to the Airways we should have had a proper Airways Corporation but for Chief Awolowo and his lieutenant, Chief Akintola. We also have a shipping line in which we have a majority equity capital. Coming to the Central Bank, is it a private or public undertaking? It is nationally owned. It is of interest to note that in the Eastern Region all new industries which are started are usually with Government participation. I have already mentioned a few examples such as the Cement Industry at Nkalagu and Port Harcourt and also the bicycle factory which belong to Government. We are starting our own insurance company and we are starting that in co-operation with a private Company which will hold not more than 25 per cent of the equity capital. Hon. Members will be glad to know that the Articles of Association are completed.

Very often Chief Awolowo has demanded the nationalisation of the iron and steel industry but this is absurd as the iron and steel industry does not exist at the moment and one cannot nationalise a thing that does not exist. On the other hand, we of the Eastern Regional Government are bent on establishing an iron and steel mill in Enugu, nationalisation or no nationalisation, and I am happy to report that by January we shall start a Steel Rolling Mill in association with private capital. The Government is having 49 per cent of the equity capital and the private interest will have 51 per cent. After five years the Government will have controlling shares. When I look at these things I can only come to one conclusion from the fact that all these statements came to be made in the East.

When Chief Awolowo went to Northern Nigeria he said nothing about nationalisation

but when he came to the East he started to talk about nationalisation and then Mr Eyo was given extracts of an out-dated Communist Manifesto to read here. I think this is deliberate act of sabotage against the Eastern Nigeria in particular and Nigeria in general.

Let us come to another aspect of socialism: Social Services. Of course as a socialist myself I am happy to talk about it. What are the social services we have here. The first is education. Is it nationalised or not? Every year about £7.6 million is spent on education which is entirely the responsibility of the Government. With regard to public health, a majority of the hospitals existing in this part of the country are owned by the Government. Indeed practically the whole of the Medical Service is a State Service.

In view of all this, one wonders whether these people who talk glibly about socialism really know what it means. Their plans are largely the destructive recommendations of frustrated politicians who had failed in their ambitions to capture the Federal Cabinet.

One of the basic facts leading to trouble in many parts of the world is the fact that land is owned by a few people. But in this part of Nigeria everyone has some bit of land. Our system of land tenure ensures this. In Britain and Europe the model of society is quite different: there is the landless class, the proletariat or working class, and the very wealthy people. There is stratified class society which has led to injustices, inequalities of income and opportunities. These have in turn led to extreme forms of socialism. But this model of society does not exist here.

I agree with the Opposition Chief Whip that it was as far back as 1946 that the British Labour Government nationalised the Bank of England. But in this country we started right away with a Central Bank nationally owned. It took the Labour Party quite a fight to have a National Health Service, but here our only problem is to expand the service which is already nationally owned. The Iron and Steel Industry was nationalised by the Labour Government and denationalised by the following Conservative Government. But here there is no Iron and Steel Industry to nationalise. Presumably these confusionists here want to nationalise the Oil Exploration Industry. But one would

ask whether these pseudo-socialists knew whether there was oil in the areas now being explored. One should remember that there is an agreement between the oil companies and the Federal Government. We should stand by that agreement.

What we really want in the East today is basically the development of Agriculture and Industry especially in the rural areas. And as I said at another place, we shall require about £100,000,000 for the serious development of our economy. You all know the annual turn-over of this Region and ordinary commonsense dictates that irresponsible speeches about nationalisation will not make this Agricultural and Industrial Programme possible. We certainly will not follow outdated and misguided manifestos. Our policy must be based on what is best for Nigeria and our people and not on any wild and crazy doctrine however high-sounding and however much it has been painted as a success in our eyes. It is here that I agree entirely with Dr Kwame Nkrumah that every country must work out its path to socialism.

Incidentally in Russia and Yugoslavia it took the form of Marxism; in China it took the form of communes, I am told. In Great Britain, when socialism reached there, it was modified to Fabianism and altogether they have evolved a society of which they can be proud. They did not reach their present heights in a rush but went gradually about it. This again is similar to what happened in the Scandinavian countries. But when socialism reached America it was killed. Even so their society is still one of the most progressive. In India, under the level-headed leadership of Nehru it was modified to a system similar to what obtains in Britain. In Ghana, they also want to develop into a classless society, but they are going about it calmly by developing their economy with outside capital and without threatening nationalisation.

It is indeed strange that all those who advocate nationalisation prefer to speak in the East. I hope that this irresponsibility will stop from now. Why should he preach nationalisation in the East where the people and the Government have stated categorically that they do not want it? When Chief Awolowo goes back to Ibadan let him start nationalising quickly so that we can follow his example.

This nationalisation scare is the greatest sabotage perpetrated by the Action Group in this decade.

I wish to end, Sir, by thanking all my other colleagues and especially the level-headed people of the East who saw that this thing is a conspiracy against our progress. We want to advance rapidly. We want to kill unemployment and we want to change our rural economy. We can do this if we can provide enough industries in this Region, and to do that we need outside capital. It is not a matter of talking glibly and assuming doctrinaire attitudes on the problem. I will wind up, Sir, by saying that I thank the people of Eastern Nigeria for their stand on this matter. They are level-headed citizens who cannot be carried away by frustrated politicians just because they were not made Prime Ministers. We know all their tricks. At this time one wonders whether there are two Action Groups, one controlled by Chief Akintola and the other controlled by Messrs Ikoku and Bamishe.

To wind up, Sir, I support the Bill and hope that, following the policies we have now outlined, the revolution we are looking forward to will start very early next year with our Iron Rolling and Steel industry which Government is mounting in association with private capital.

*Sitting suspended at 12.30 p.m.*

*Sitting resumed at 1 p.m.*

**Mr G. I. Oko, M.B.E.** (Awgu Division): I rise to support the Supplementary Appropriation Bill. In doing so, I would like to refer the hon. Minister of Works to an important issue, and I believe that by drawing his attention to it something should be done. It is all about the Awgu-Enugu-Ozalla road. It is one of the most important roads in the Region. It is not only serving the people of Awgu, but it is equally serving the people of the neighbouring areas. I have to draw the attention of the hon. Minister to the fact that for the past six months that road has been out of order. The Government signed a contract agreement with the contracting firm that undertook to repair this road. I quite remember that while the work was going on the hon. Minister was asked whether he was satisfied that what was then being done on that road was up to the standard

[MR OKO]

required, and he said "no". Along this road, you will like to know, there are all sorts of trees, and these trees are, in fact, death traps to the users of the road. Awgu-Owerri road is part of that road and it is hard for anyone to pass through it.

I invite the hon. Minister of Works to make a tour of the Division and see this for himself. I say that the allocation so far made in the Supplementary Estimate is very small to meet up the needs of this road, and pray that the hon. Minister endeavours to bring this road to the standard required. I suggest that to carry out the construction of that road the contract for it must be given to reputable contractors like Dumez and Company. This Company constructed the Okigwi-Oji River-Awgu road and satisfied everybody. I think it is also wise that Government provides the allocation for Messrs Dumez to take over the work immediately. Along this very road there are educational and medical institutions which require new roads to connect them. My appeal is that as the Regional Headquarter is being developed, good roads will be needed to link it so that people from the rural areas may have access to come in and sell their products. This is the only way to help farmers and traders and other commercial-minded people.

One other point I would like to make is the question of rural water supply. I have to thank the Government for the nice start they have made at Ogrugru in Awgu Division. But it has been long outstanding since December last when the water scheme was projected. We are looking forward now to seeing the work being completed. The need for this water project to be completed is very, very urgent because in some of our institutions like the Awgu County Secondary School at Lenwe, the students there walk five and a half miles to draw water. This keeps them away from school for a number of hours. I appeal to the hon. Minister of Works to see that the implementation of this water scheme is carried out within the shortest possible time.

One other point I would like to make is about the Community Development in the rural areas. This is the only way by which Government hearkens to the cry of the people in the rural areas. If it is the wish of Government, it will do well to increase the allocation

for Community Development in the rural areas so as to create more incentive for more community development spirit among the native people. In my Division we have so many village roads, town halls, road improvements, and market buildings and these require some encouragement from the Government. Therefore, I appeal that some more allocations be made for the organisation of community development on a fifty-fifty basis.

**Mr J. A. Agba** (Ogoja Division): I would like to make two points. One is the question of mechanised agriculture. I very much appreciate the efforts of the Government to encourage agriculture in every part of the Region. Last August the hon. Minister took the trouble of touring Ogoja Division in the absence of the Commissioner for Ogoja Province, to see whether there was any possibility of acquiring land for the purpose of mechanised agriculture. He came to the conclusion that there was not enough land for that purpose. We are very much refused all sorts of amenities. We have been much penalised for asking the Government to bring out funds from this item "Mechanised Agriculture". Whilst on that item I must say some words of congratulations to the Government not only that they have tried to establish branches of agricultural experiments in different parts of the Region, they have also done well to have certain departments in the Agricultural Department where vehicles belonging to the Government and private individuals can be repaired. Here again, I beg to make a sort of digression.

I must say that while the Government is trying to bring amenities to reach every subject in the Region, there are certain people who think themselves as adopting the method of distributing these amenities so created in the form of personal property. The Ministry of Agriculture in Abakaliki Division, in the Mechanical Engineering section of that Department, has proved itself obnoxious, horrible and utterly distasteful. There are certain people who bring in their cars for repairs. These cars seem to be repaired and given back to owners at a very low cost. There are others who bring in their cars including hon. Members, and for that matter, Commissioners and Heads of Departments and it behoves the Mechanical Branch to attend to these cars no matter who owns them. I would like to substantiate my experience.



An hon. Member who is here present in this hon. House brought his car for repairs and offered to pay in advance, thus proving his sincerity as to the payment for repairs. The Head of Department utterly refused to have anything to do with his car and treated the hon. Member with disgrace. He probably thought the hon. Member stole the car and coming for repairs on the car would enable him to run away with it. I say this because you will have the impression that everyone's car could be repaired in the Mechanical Section of the Agricultural Department. I cannot see why an hon. Member of this House, and a man who had gone out on his own, to plead on the floor of this House that the Agricultural Department should be extended in order to bring in all sorts of amenities should be so treated. Apart from that, what is worse is to hold the hon. Member to ridicule in the presence of junior members of his staff.

You did say, Mr Speaker, that the Members of this House were not free to attack Civil Servants on the floor of this House because they have not the opportunity of defending themselves here. But when a Civil Servant feels that a Member of this Legislature is so poor that he cannot pay his bills and places himself in a position to ridicule any Member of the Legislature or treat him as a child, we will definitely call on this hon. House and in particular on the Treasury Bench, to vindicate the honour of the hon. Member of this House. All of us here do contribute to the policy making of the Government and the idea of Nigerianisation which this Government is out for. It is quite true that politicians are poor. It is not only so in this country but in other parts of the world including England. For example, hon. Walpole, who was a notable person, died without a penny left for his burial. I feel it is the place of this Government to uphold the honour that the hon. Members of the Legislature deserve. If anybody thinks that because an hon. Member is poor he cannot discharge his debts and therefore should be treated with contempt, looked upon as a small boy merely walking into his office to ask for services, I think that man may as well rest assured in his home and perhaps be popular enough to contest election into this House. Otherwise, whatever he has behind his head—whether in the line of politics, whether he thinks he is in the Service to show favour for this Party and disfavour to the other Party—and thinks himself in a

position to dispense with hon. Members as best as he can, I think it is the place of the Government to call that civil servant's attention to understand that he is there to distribute the amenities of the Government equally to every indigenous person whenever he is approached for service. In this particular case, I would like to call upon the Minister of Agriculture to investigate the matter in connection with the Mechanical Engineering Branch, Abakaliki and have the Head of that Branch disciplined. It is not only the hon. Member as such that is concerned. There are quite a lot of other people in the same area who are complaining of the same thing. We come here and make a lot of demands and requests from the Government and when the Government is generous enough to distribute these amenities, particularly to the backward areas, we shall detest anybody who will come there and appropriate these amenities as though they were a sort of legacy from his own father.

The next point I would like to make is on Education. I would like to speak on scholarship award. In the last Budget Session, there was a drawn-out debate here between the Minister of Education and some Members of the Opposition, whose names I refrain from mentioning. There was one case in particular which was about a person who had the maximum qualification required for an award of the Commonwealth scholarship. I did ask the Minister why that man was not selected. The answer was that all the results of the interview and the written questions of students were sent to England for scrutiny and selection and until the results were back he was not in a position to give a further answer. Well, this is November and the courses have begun in all Universities. What I am pressing here, Sir, is that I was making it clear that the whole Ogoja Province was not very well considered in the line of University Scholarship awards and I was told that Obudu, particularly, had no candidate; and that one or two applied from Ogoja and one or two from Abakaliki and because there was deficiency in this or that, these areas were relegated to the background. What happened in this particular case where the chap concerned had the requisite qualifications and no award has been given him? I, here and now call upon the Minister of Education, to verify that statement of his that until the results were sent back from England he

[MR AGBA]

had no further answer to make. Will he please get the answer and tell us why that particular teacher was not eligible for the award of the Commonwealth Association Scholarship.

**Rev. M. D. Opara** (Owerri Division): I rise to support the Supplementary Appropriation Bill and in doing so I must congratulate the hon. Minister of Health for the work he has done at Owerri in improving the hospital. Our doctors there are young and very good at work. The hospital has been greatly improved.

But there is one thing I have to say which I have incessantly brought to the floor of this House and that is about whoever is to be the dispenser in that hospital. Complaints always reach us that patients never have their medicines before they go after 2 o'clock p.m. The doctors go very early; in fact they are so quick at work that they attend to all the patients brought to them. What happens is that the dispenser and his attendants keep dilly-dallying and pushing patients away instead of doing their work. I was an eye-witness on one occasion. The dispenser will only attend to one or two patients and continue to push the rest away for no just cause while the poor doctor works for hours and hours sending many more patients out to collect their medicines.

We have often times reported this. What vexes us is the ill-treatment given to patients who are pushed here and there and even beaten. You just wonder how these people will feel when they leave hospital after two or three o'clock without medicine. I had before called on the Minister of Health to investigate these matters. I am suggesting now that we would like to have more dispensers in order to be able to serve the public as the doctors are doing.

I should like to remind the Minister of Justice about cases which always hang on in the Magistrates' Courts and the High Courts. There may be cases in the courts for about two or more years, and when one goes to court as a witness one would remain there from morning to evening only to hear "case adjourned". When you go there next day, you hear "case adjourned". If the cases are too many for the present number of Magistrates

and Judges to finish, the best thing is to employ more temporary Magistrates to finish the cases. One would be charged with contempt of court if one failed to go to court.

There was a well-sinking team at Owerri—I am now talking to the Minister of Works. That team has been withdrawn and we want the Minister to return the team so that it can continue with the well-sinking project. Again, I have to remark on the waterworks which was started by the natives on their own and to say that up to this time Government has not come to their aid in spite of approaches made to the Ministry.

I return to the Ministry of Education on the question of grants-in-aid to secondary schools. Many secondary schools have been grant-aided and many have been left out. It would be a sheer waste of time if somebody is told to be rich before he is given food. Grant-in-aid is given for development and improvement and I see no reason why the Ministry will be so rigid that a school must first of all be almost equivalent to a Government school before being grant-aided.

Another thing is about roads and transport. I happen to see down there a chart—mileage chart—prepared for us. It is diabolical to tell a man from Owerri to travel through Okigwi and the meandering road of Awgu. We ourselves are not used to such kind of roads, and it frightens anybody. We find it safer to travel through Onitsha. From Owerri via Okigwi, Awgu to Enugu here is 150 miles. From Owerri, Orlu, Awka to Enugu is 104 miles. I do not know how somebody might have worked it out for us to say that it is ninety-three miles. I bet the man £100 to travel with me and to see his ninety-three miles. But why should we be forced to travel through any road. I think it is silly to force anybody to travel through a particular road.

**Mr S. T. Akpan** (Eket Division): I rise to support the Supplementary Appropriation Bill, and in doing so I wish to associate myself with my hon. friend from Aba in thanking the Government for having seen it fit to be gracious to teachers by extending to them the remaining 2½ per cent Mbanefo award. Not only that, I would also thank the Government for having considered the case of the Local Government Employees Association. But here

is a point that I want to make to the Government if they can consider it in the proper way. I do not know whether Government has not realised that certain strikes that we have in this Region constitute a source of waste of Government funds. We all know that a registered trade union, having declared a trade dispute with the employer, has the legal right of having its members paid after the determination of the dispute. I think it would be better if the Government would endeavour to listen to these troubles at the proper time so as to avoid strikes.

Here is another case, today the staff of the Government Printer are on strike. I should say that majority of knowledgeable people in this Enugu know when that case started but the Minister probably has not given the appropriate attention to the matter and has allowed it to go out of hand at the time that the House is meeting. I may mention to you that the Head of that Department, of course, I do not mean to discuss him, has very serious charges levelled against him by the Printers Union but such charges of professional incapability and even charges bordering on his integrity, have not been investigated. If the Minister felt that the Union had made a strong case and he wanted to be sure, I think he should have instituted an enquiry as early as possible as to avert the strike, but that has not been done. I am perfectly sure that the hon. Minister knows that what I am saying is true and that he will take action now.

I will advise the Government that it is better to listen to these Trade Unions in time instead of allowing them to take the last resort.

Another point I want to make, is that while we are trying to develop our Region economically and otherwise, I think it is time that our Government took a strong measure against the practice of adulterating goods. It is a common knowledge, Sir... (*Government Bench: Say: nationalise all goods*). No, I do not mean that. You cannot push words into my mouth. I do not speak of nationalisation, though it is not a bad idea but it may be too early.

Nearly every stock of goods in the market now in Eastern Nigeria is adulterated, even cement, not to talk of foodstuff. I think it is the duty of the Government to see that honesty in business is practised and there should be a

way that the Government should help to bring to book those who have these adulterated goods, probably they might be able to tell the Law Officers how they came to be adulterated. Something should be done. It is no good for a man paying 15s for a bag of cement and carrying it home to find that it contains only ashes. It is a deplorable condition, so it is better that the Government should consider this and see that it does something about it.

I have to thank the Government for considering Eket road. I hope the Minister of Works will see to it that before the expiration of this financial year almost the whole length of the road is tarred.

**Mr Speaker:** This is a one-day debate by Standing Order, and as that day is coming to a close, we must give the Minister of Finance chance to reply.

**The Minister of Finance (Dr S. E. Imoke):** The debate on the Second reading of the Supplementary Appropriation Bill seems to have taken on a new look this time, when it started by the Chief Whip of the Opposition introducing nationalisation and socialism into this House. At any rate, I feel a bit relieved in that he had taken most of the time that members of the Opposition would have used perhaps in criticising me and my Bill, and have left them with very little time to really speak on the Bill itself. I am also extremely happy that the hon. Premier has used the occasion for delivering the death-nail on this question of nationalisation. I have not really much to say in winding up this debate but I would like to use this opportunity to thank the two new Members who made their maiden speeches today for the very useful contributions they made and wise suggestions they put forward in this House today. It has been a very good beginning for both of them and we are very much encouraged and hope they will keep it up.

As for those Members who spoke on various Ministries, roads, hospitals and so forth, I would advise that since this is only a Supplementary Appropriation Bill, they should have patience and not insist that my colleagues should get up now to reply, but to wait until the Budget Session.

*Question put and agreed to.*

*Bill accordingly read a Second time and under Standing Order 77 (4) stood committed to the Committee of Supply.*

Committee: Tomorrow.

**(2) The Incorporation (Ministry of Finance) (Amendment) Bill**

*Order for Second Reading read.*

**The Minister of Commerce (Mr J. U. Nwodo):** I beg to move that the Bill be now read a Second time.

The object of this Bill is two-fold. First, it seeks to transfer the assets and liabilities, etc., of the Cinema Corporation to the corporation known as the Ministry of Finance Incorporated. Secondly, the Bill also seeks to repeal the Cinema Corporation of Nigeria Law, 1955.

Hon. Gentlemen will remember that in moving the second reading of the Cinema Corporation Bill in 1955, the then Hon. Premier sketched the objects of the Corporation. Broadly, they were to make films to distribute its own and other films, and to show films.

The Corporation made and distributed documentary films, some of which were extremely artistic and compelling. It also showed films from cinema vans in the rural areas; laudable and educational these activities were—but profitable they were not. During its one year of operation, the Corporation was not able to venture further into any other sector of private business which would have yielded it money.

It was at this stage that Government discovered that of the £100,000 loan made by the Finance Corporation to this Corporation, only about £33,000 remained as uncommitted cash in the Bank. This was insufficient for further effective activities. Government was informed by the Corporation that it would need a further £82,000 if it was to be expected to carry out those functions for which it was created. Government had then to decide whether to find these funds or to close down the Corporation. After considering the matter very carefully, it was decided that the Corporation should go into partnership with private enterprise for ordinary film showing and that its rural services should be carried out by the Ministry of Information.

Government did not act in disregard of the Cinema Corporation Law. Under that Law, the Corporation has power to enter into a partnership with others. But, as at the same time, the showing of films in rural areas was transferred to another agency, it was felt that it would be superfluous and a waste of money to retain the Corporation as a separate entity. If it were, the salary of the Chairman would have to be paid and he would not have any function to perform.

Hon. Members should not judge the Cinema Corporation as a failure simply because it made financial losses. It was an ambitious concept. It aimed both to project our country to the world at large and to widen the knowledge of the people in the rural areas. It is a sad thing, but in the world today, few purely cultural organisations are a commercial success. In its brief life, it brought pleasure to many—we can, then, count the loss and gain. And some of its funds were transformed into buildings which are permanent assets worth over £20,000.

I have earlier on indicated that a partnership has been arranged with a private cinema company. The company chosen has an international reputation. Already it is acquiring static cinemas in the townships. It also plans to build small cinema units in the villages. The first eight months of the new partnership appear to have been most profitable. Salaries and allowances have amounted to less than 10 per cent of revenue. It would be unwise of me to give any figures. There are more things than salaries on the liability side of a balance sheet. But Messrs Nankani Cinemas (Nigeria) Limited is a keen, go-ahead commercial concern of whom we all have great hopes. The Managing Director is not in business for love. He is out to make profits and I am sure he will.

The authorised capital is £100,000 with the Cinema Corporation contributing 40 per cent. With the passage of this Bill into Law, these assets will vest in Government.

As the then hon. Premier emphasised in presenting the Second Reading of the Cinema Corporation Bill in 1955, a keynote to running business through a Corporation is flexibility. It is not merely flexibility in taking decisions and spending money without reference to rigid regulations, but also, flexibility in changing

the form of corporate existence, for example, flexibility of making partnerships, flexibility even at winding up. This particular Bill is an example of such flexibility and I hope that hon. Members will support.

**The Minister of Works (Mr P. O. Ururuka):** Sir, I beg to second.

*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 1-3 agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported without Amendment; read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the appropriate Message.*

### (3) The Eastern Nigeria Development Corporation (Amendment) Bill

*Order for Second Reading read.*

**The Minister of Commerce (Mr J. U. Nwodo):** I beg to move that the Bill be now read a Second time.

The object of this Bill is to insert in the Eastern Nigeria Development Corporation Law, 1955 (Eastern Region Law No. 12 of 1954), additional sections, whereby the *de facto* taking over of the Tourist Corporation by the Development Corporation is given a *de jure* recognition by the statutory transfer of assets, contracts, etc., to the Development Corporation with effect from 10th June, 1959.

In 1955 the Tourist Corporation took over the management of the Rest Houses which had been managed for Government by Administrative Officers. It was intended that the Corporation should do more than merely manage these Rest Houses. It was expected to run them as hotels, to promote the tourist industry by providing hotel facilities in those places where one would not normally expect private enterprise to invest its money.

The running of the Rest Houses by the Administration implied, among other things, that the salaries of these officers, the rent and rates due for the premises used, were actually subsidised by Government. When, however, the Corporation took over, it had to meet those charges.

Again, Mr Speaker, it must not be forgotten that the provision of such amenities by this Corporation was an innovation in this Region, therefore, it must not be taken as an adverse criticism when I reveal that in 1959, Government realised that the Board of the Corporation was running at a loss of about £18,000.

In recognition of these difficulties, Government set about reorganising the Corporation by improving its scale of accommodation, reducing staff, and raising charges for services rendered. There was also an inventory of the assets of the Corporation which revealed an advanced state of depreciation. It was realised then that in spite of the reorganisation, the very buildings taken over needed major maintenance to the tune of £16,000.

Such was the magnitude of the problem that Government wondered whether it would be wise to continue to entrust the running of this Corporation in the hands of a Board of amateurs, or to go into partnership with an organisation experienced in management. It was under these circumstances that Government decided to ask the Eastern Nigeria Development Corporation to manage these Rest Houses as from 10th of June, 1959, with an emphasis on the hotel aspect. In pursuit of this decision, repairs had to be effected to the buildings and a loan had to be made to the Eastern Nigeria Development Corporation which could not have found the money in other ways.

Those hon. gentlemen who attended the Independence Celebrations at Lagos, and indeed many others who have had the occasion to use the premises of the Federal Palace Hotel would agree that, had the steps outlined above not been taken, the Eastern Region would have been disgraced during the Independence Celebrations if it had offered shabby accommodations to the overseas visitors, who after all, are the very people we would wish to help industrialise Eastern Nigeria. But the point I am really making is that these very fine hotels

[MR NWODO]

in Lagos are in the hands of capable and efficient management. The E.N.D.C. should provide the answer in this Region for a similar venture to be established when it is realised that the E.N.D.C. is already in partnership with a reputable firm and that they both are jointly building two hotels valued £1 million in Port Harcourt and Enugu.

I am sure hon. gentlemen will agree that for some time during this year, services in all the hotels now being managed for us by the Eastern Nigeria Development Corporation, have improved considerably, and the indication is that the improvement will continue. As stated earlier on, the intention of this Bill is to re-align the good which the Eastern Nigeria Development Corporation has been doing in respect of hotel management, and I have no doubt in my mind that under its able leadership it will really extend the catering and also promote the hotel and tourist industry of the Region.

Mr Speaker, all that this Bill seeks to do is to provide the legal facility for the Eastern Nigeria Development Corporation to run the business which was hitherto entrusted with the Tourist Corporation.

**The Minister of Works (Mr P. O. Ururuka):** Sir, I beg to second.

**Mr I. I. Morphy (Ogoja Division):** Sir, I only want to make two points. Since the E.N.D.C. took over these Rest Houses all the chalets have been air-conditioned and the rate is now very high. I think that by this policy the E.N.D.C. is trying to create a class because not all people, even in this House, can afford to pay £3 a night for each of the chalets. What happens is that there is not a single chalet which is not air-conditioned and not all the people who might need the chalets can afford to pay this high fee. I would like the Minister to tell the House why all the chalets should be air-conditioned when in fact we do not need that.

**Rev. M. D. Opara (Owerri Division):** I want to comment on the question of menu in the Catering Rest Houses. In all of them only European food is available. Not all people are used to this type of European tinned food and other things. So I am appealing to the Minister to see that African diet is also sold in the Rest Houses.

Another point is the question of providing a Rest House at Owerri. Owerri township in Owerri Province is fastly becoming cosmopolitan city and many people pass there while going to other towns in the Region. I am therefore suggesting that it is high time a Catering Rest House was built in Owerri township to meet the wishes of the public. I would like the Minister to make a categorical statement as to whether Owerri is not fit to have a Catering Rest House.

**Mr M. U. Etuk (Uyo Division):** Mr Speaker, while on this subject I would like to emphasise to the Minister in charge that flats similar to the Legco flats in Lagos should be provided where the new Ministers quarters and Parliament are being built in the Independence Layout. At present, as an hon. Member has said, we can hardly find accommodation in the Catering Rest House. Apart from the fact that the fee has been raised one has to book about a month in advance to get accommodation. So long as we come here to do business in the interest of the Region it is the responsibility of Government to see that good accommodations such as the Legco flats are provided for Members of this House.

**Mr J. A. Agba (Ogoja Division):** I have only one point to make. In 1958 during the Budget Session, on the floor of this hon. House, Dr Azikiwe, the Governor-General designate of Nigeria, made a statement that Catering Rest Houses were going to be built in every place. Obudu came first on the list and then Ogoja and other places were enumerated. May I ask the Minister while aiming at improving existing Rest Houses he should also remember the statement made by that hon. Doctor and bring it into effect. We want Catering Rest Houses in this place notwithstanding the difficulty encountered in reaching the place because of bad roads.

**Mr V. A. Nwankwo (Abakaliki Division):** I want to speak on the state of Rest Houses at Abakaliki. Abakaliki is a central town and resting place for people going to Ogoja, Obudu, Ikom, Afikpo and sometimes the Cameroons. It, therefore, needs sufficient number of chalets and sufficient maintenance of the Rest Houses.

Because of the bad nature of the meal there and insufficient accommodation our visitors

find it difficult to have their meals there. It is very necessary that a central town such as Abakaliki should be provided with a good and sufficient Catering Rest House. Also apart from beer other drinks should be sold so that if anybody does not take beer he can find other drinks to buy. The Government should look into this matter and give it the urgency it deserves.

**Mr S. T. Akpan** (Eket Division): I just want to make one point and that is the question of building Catering Rest Houses at Oron and at Eket the Headquarters of the Division. We have a growing port at Oron where most of the Ministers stop before crossing to Calabar. Also most of other important persons stop at Oron before crossing to Calabar. So it is worthwhile to have a Catering Rest House built at Oron. As the Headquarters of the Eket Division, Eket town deserves a Catering Rest House built there. So while pleading for a Catering Rest House at Oron one should also be built at Eket.

**The Minister of Commerce:** May I reply to some of the points made by Members. The provision of Catering Rest Houses and menu is within the competence of the E.N.D.C. and my information is that they are already examining these questions.

About African food being provided in the Catering Rest Houses the Premier, during his tour of the Region, promised that African meal was going to be provided.

The provision of Legco flats is a matter for this hon. House and the hon. Minister of Finance. It will therefore be trespassing into another Minister's province if I make a categorical statement on the matter.

On the question of air-conditioning the Rest Houses I have to say that it is very necessary in Catering Rest Houses because we do not want to house the many V.I.P.s who visit this Region in very shabby buildings where they may not be comfortable. Anyway, my information is that not all the chalets are air-conditioned.

*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 1-3 agreed to.*

*Clause 4.*

**Mr B. C. I. Obanye** (Onitsha Division): I would like to propose an amendment to clause 4 by inserting between "a" and "contract" the word "law"; so that section 44 (1) will then read as follows:—

"On the appointed date, all rights, interests, obligations and liabilities of the Tourist Corporation under a law, contract or other instrument of any kind are, by virtue of this section, deemed to have been assigned to the Corporation."

The reason for this is that the Tourist Corporation is a statutory corporation and as such is liable in tort for tortuous actions.

*And it being 2.15 p.m. Mr Chairman interrupted the business and left the Chair to report Progress and ask leave to sit again.*

(Mr Speaker resumed the Chair)

Committee report Progress: to sit again Tomorrow.

(4) The Laws of Eastern Nigeria (Declaration of Commencement) Bill, 1960. *Deferred until Tomorrow.*

## ADJOURNMENT

**The Minister of Finance (Dr S. E. Imoke):** I beg to move that this House do now adjourn till 10 a.m. tomorrow.

**The Minister of Health (Mr E. P. Okoya):** I beg to second.

## ADJOURNMENT DEBATE

### Customary Courts in Ogoja Province

**Mr I. I. Morphy** (Ogoja Division): I am speaking on the customary courts in Ogoja Province. Ogoja is divided into three divisions. They are: Ogoja Division with a population of 151,000 people, Obudu Division with a population of 58,000 and Ikom with a population of 49,000. Government has only introduced two customary courts while we are

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entitled to three county courts. Government has given Ogoja/Obudu one county court while Ogoja and Obudu are supposed to have one county court each. I would like the Government to consider giving Ogoja Province three county courts.

Another point I would like to make is that in certain customary courts certain clans have been amalgamated to form one district court. I would like the Minister to form one separate court for each clan. There is also the question of allowing people who are not natives of a particular area to serve as customary court members. Take Ogoja for example. If a Calabar man has lived in Ogoja up to three years and he is put in a court where he does not know the customs of the people, he cannot interpret the customs of the people concerned. So I would like the Minister to ensure that

strangers are not put in positions where they will not be able to interpret the customs of the people.

**The Minister of Justice and Attorney-General (Mr M. O. Ajegbo):** The first point concerning the allocation of customary courts to divisions is a matter for the whole House to decide on whether a particular area should have more or less courts. On the second point, I personally feel that a stranger, if that is really the correct word, who has been in a place for about twenty to twenty-five years is no longer a stranger in that area and he should be entitled to share in the work of the court in the area.

*Question put and agreed to.*

*Adjourned, accordingly, at twenty minutes passed two o'clock p.m.*



EASTERN HOUSE OF ASSEMBLY

Thursday, 10th November, 1960

The House met at Ten o'clock a.m.

PRAYERS

(Mr Speaker in the Chair)

MINISTERIAL STATEMENT

Mbanefo Salaries and Wages Revision Commission

**The Minister of Finance (Dr S. E. Imoke):** Mr Speaker, the hon. Premier, who is unavoidably absent this morning, has asked me to make the following statement on his behalf:

You will be aware that, in approving the general recommendations of the Mbanefo Report for increases in salaries and wages, this Government felt itself unable, for various reasons, to accept the proposals in their entirety: instead of the 15 per cent increases recommended for Local Government and Voluntary Agency Staff, 12½ per cent was approved; and the 12½ per cent increase for superscale staff was rejected.

The Government has recently announced the full implementation of Mbanefo for Local Government and Voluntary Agency Staff with effect from 1st April, 1960, and has now decided to take a similar step (with one slight modification) so far as superscale officers are concerned. The Mbanefo recommendation was that these officers should receive an increase of 12½ per cent on their salaries, with a maximum increase of £300 per annum; and this has been accepted, with the exception that Group 4 officers (that is, those of Permanent Secretary grade) will receive an increase of £240, and not £300 as they would under the original proposal.

The Government has taken very careful thought before reaching this decision, and is convinced that it is correct. The original refusal to increase the salaries of superscale officers caused a very considerable degree of discontent in the Public Service, amongst the very officers whose loyalty to, and confidence in, the Government are quite essential for the

rapid progress of the Region. Furthermore, the other Nigerian Governments have all paid these or similar increases and have in consequence been at a considerable advantage vis-a-vis this Government in competing for the scarce material to fill such high-grade posts. It is because of this, and of the fact that, compared with the cost of the other recommendations of Mbanefo (about £1.8 million) that have already been accepted, the cost of about £30,000 per annum is not significant, that the Government has reconsidered its decision, and decided to award the increases that I have already described.

It is not anticipated that there will be any need to approach the House for additional appropriations for this award: the small sums involved can almost certainly be found from existing savings under Personal Emoluments sub-heads or by virement later in the financial year.

Thank you.

ORDERS OF THE DAY

(1) The 1960-61 Eastern Nigeria Supplementary Appropriation Bill

Considered in Committee of Supply.

(FIRST ALLOTTED DAY)

(In the Committee)

Clauses 1-6 postponed.

FIRST SCHEDULE

Head 421.—Premier's Office

£47,050 for Head 421—Premier's Office—agreed to.

Head 422.—Audit

£4,420 for Head 422—Audit—agreed to.

Head 423.—Electoral Commission

Question proposed: That a sum not exceeding £3,620 for Head 423—Electoral Commission—stand part of the Schedule.

**Mr I. I. Morphy (Ogoja Division):** The only thing I want to know on this Head is about the Commission that went into the

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division of Federal Constituencies into Regional Constituencies. That report, it is understood, has been handed over to Government long ago and we have long been expecting the publication. We want to know when Government is publishing this report.

**The Minister of Finance (Dr S. E. Imoke):** As far as I know, this report has not been placed before Government for consideration and as soon as it is, it will be published.

*Question put and agreed to.*

#### Head 424.—Judicial

*Question proposed: That a sum not exceeding £10,860 for Head 424—Judicial—stand part of the Schedule.*

**Mr O. Arikpo (Obubra Division):** I want to take this opportunity to bring to the notice of the hon. Minister of Justice and Attorney-General the increasingly difficult situation which is facing the Courts in this Region, particularly the Magistrates' Courts. I am concerned with the question of congestion in the Courts and the long delay which the litigants are suffering as a result of shortage of Magistrates in Courts. The position is becoming more disgraceful, particularly in regard to civil matters. The persons who bring these matters are law-abiding people and some of them often have to wait for two or three years before a single case is disposed of, thereby suffering considerable expenses by way of adjournment.

I fear, Sir, that this . . .

**The Minister of Finance:** Point of Order ! Standing Order No. 30 (4).

"It shall be out of order to attempt to reconsider any specific question upon which the House has come to a conclusion during the current session except upon a substantive motion for rescission."

**The Chairman:** What is the point you are making there ?

**The Minister of Finance:** This question of congestion in Magistrates' Courts has been

raised on the floor of this House and the Minister of Justice replied fittingly to it and I think it is a repetition for him to have to raise it again.

**Mr Arikpo:** Mr Chairman, I want . . .

**Government Bench:** The Chairman has ruled you out already.

**Mr Arikpo:** No ! He will rule against you.

**The Chairman:** It does not occur to me that any conclusion has been reached and since no such conclusion has been reached, the matter cannot be regarded as closed.

**Mr Arikpo:** Hear ! Hear ! I told you before.

I want to make a suggestion, Mr Chairman, to the Minister of Justice—a suggestion which was followed in some other parts of the country with very satisfactory results—and that is, that the Minister should consider the possibility of making some temporary appointments for very short periods of two to three months to dispose of this congestion. I remember some time ago when the same situation arose in Lagos and two or three eminent barristers were engaged for a period of two months to clear the accumulation of work. I also remember that our present Chief Justice on one occasion before he was raised to the Bench had to sit in Port Harcourt for a number of weeks to clear such congestion. I think if the Minister would consider doing that it might solve the present difficulty not only in civil but in criminal matters throughout the Region.

**Mr I. U. Imeh (Abak Division):** May I know from the hon. Minister of Finance why in the Bill on page C 141, Judicial, we have £10,860 but in the Supplementary Estimates, we have £17,860, that is an increase of £7,000.

**The Minister of Finance:** The difference lies in the fact that part of this sum is statutory fund which is not subject to appropriation and is therefore not included in the Appropriation Bill.

**Rev. M. D. Opara (Owerri Division):** The point I want to make is about thieves. Immediately after Independence thieves invaded many places in the Region. I think that the

punishments meted to thieves when they are caught, are inadequate. At Owerri, the other day, a High Court Judge sentenced some thieves to twenty, thirty or forty years' imprisonment and that brought terror to a good many of the thieves so much so that one of them came to me and swore that he would never steal again. He asked me to give him some money with which to trade because those who were asked to serve up to thirty years' imprisonment might die there and even if they came out, they would have learnt from their mistakes and would not steal again. What I am trying to say is that in many cases, somebody steals his neighbour's property and he is either fined or sentenced to only three or four months' imprisonment. He comes out and in the Prison Yard he might have learnt more tactics on how to steal. I think the solution is to increase the punishment for stealing.

*Question put and agreed to.*

#### Head 425.—Legislature

*Question proposed: That a sum not exceeding £3,490 for Head 425, Legislature, stand part of the Schedule.*

**Mr V. K. Onyeri** (Port Harcourt Division): Mr Chairman, I want to draw your attention to what I will call a slight on the hon. Members of the Eastern Legislature. Recently, we were served with a circular trying to show the Members the road they will take to Enugu and they curtailed the number of miles from our constituencies to Enugu. Previously the mileage from Port Harcourt to Enugu was 199 but now it has been cut down to 172. In fact, they expect me, as Member representing Port Harcourt, to travel from Port Harcourt, via Okigwi and Agwu, to Enugu. Unfortunately, the very Government could not remember that they had published in the *Gazette* that the road from Awgu to Enugu has been closed. I should say that this is more or less a slight on hon. Members. We are free citizens of the country and we are no Civil Servants. Even if we were, some of these things must be taken into consideration and I am asking that even at that, in view of the fact that we are paid only 1s per mile in this Region, while the Federal Government pays 1s 3d to Federal legislators, we should be paid our mileage at the rate of 1s 3d.

**Mr I. I. Morphy** (Ogoja Division): Before I make my point, I would like to draw the attention of this House to the wordings down here, where you have "Eastern Nigeria Legislature" and "Eastern Region Legislature" in another place. (*Several Ministers—Don't you understand what it is?*) Is it "Eastern Nigeria Legislature" or "Eastern Region Legislature"? (*Several hon. Members—Eastern Nigeria Legislature*). Mr Chairman, it is important that they decide on what we want: "Eastern Nigeria Legislature" or "Eastern Region Legislature"?

#### The Minister of Finance (Dr S. E. Imoke):

I am rising to reply to the point raised by the hon. Member for Port Harcourt. It is not only the hon. Members who were given this chart of the mileage of the Region. Civil Servants were also given and so were Ministers. (*Several hon. Members: We do not want it*). The idea behind it is economy and it would be wrong in principle, I think hon. Members will agree with me, for a Member travelling from Port Harcourt to Enugu to go the roundabout way of travelling to Onitsha and then to Enugu when there is a shorter route now existing. (*Hon. Members: No! No!*) In any case, if anybody takes the longer route and asks for mileage to be paid on this when there is a shorter route, the mileage will not be paid. (*Several hon. Members: This is very unfair*).

**Mr Morphy:** Government has not answered my question but the other point is the cost of staying in the Rest House. At present we are made to pay £3 a night for staying in the Rest House though the Government pays half of this sum. This is very costly. In Lagos, Legislators who occupy Legco Flats pay only 11s 6d per night and they enjoy free telephone services, and have a whole flat each, but here we are quartered in one room and asked to pay £3 a night. What we want the Government to do is to fix a rate for us to pay rather than asking us to pay £3 and half of this paid by Government. The cost of living is now very high in Enugu and people have the wrong impression that when we come here for the meeting of the House, we are paid £3 3s a night.

The next is the question of accommodation. Some time ago a Member here raised the point that we were finding it difficult to get accommodation in the Rest House. We still have that difficulty. You will send a telegram to the

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Clerk of the Legislature requesting accommodation but when you arrive and report at the Rest House, someone will tell you that accommodation is not available for you. We want the Government to look into this and see that we are respected when we come here to do State duties.

The other point is what is put down here in the Memorandum to the Estimates for the creation of a supernumerary post of Clerk to the Legislature so that a successor to the present Clerk may be appointed before he retires. However, I wish to say that the present Clerk is so good, and I feel personally that we should not allow him to retire so soon.

**Mr G. I. Oko, M.B.E.** (Awgu Division): I want to register my protest to whichever Ministry that is concerned with my mileage allowance from Awgu to Enugu. I travelled from Awgu via Oji River to Enugu—not from Awgu via Ozara. That road has been closed. I have warned this Ministry to correct the error and approve my allowance according to the mileage that I travelled: Awgu via Oji River to Enugu and back—106 miles.

**Mr M. U. Etuk** (Uyo Division): I hope the Minister of Finance is not making a closing statement on this question of mileage. I feel that before he does that he should investigate the question. I heard him say that the General Orders affect the Ministers and the Civil Servants. But the Members of this House are not covered by the General Orders as the Civil Servants are. According to the General Orders the Civil Servant must take the shortest road. With the Ministers enjoying the privileges of the Civil Servants, that will be alright, but with the Members of this House I think it would be unjust to tie us down to it or restrict us—for instance when I was coming I came across a fence closing the road. I could not force my car through the fence, and so I had to go round. But I am being paid for that road which was closed.

Furthermore, since we have been coming to this House we have been accustomed to getting mileage for the roads we take. It is unfair to us to be told, without previous notice, that the mileage has come down, not even to 1s 3d but to 1s. Are we being reduced to the status of the ordinary man in the street

or are we legislators of Eastern Nigeria? I hope the Minister will reconsider the question and remedy the situation.

*Question put and agreed to.*

#### Head 426.—Public Service Commission

£1,640 for Head 426—Public Service Commission—agreed to.

#### Head 427.—Ministry of Agriculture

*Question proposed: That a sum not exceeding £27,100 for Head 427—Ministry of Agriculture—stand part of the Schedule.*

**Mr I. I. Morphy** (Ogoja Division): What I want to raise here is the question of giving encouragement to our farmers. We raised the issue sometime this year and we were told that the E.R.D.C. were being asked to provide money which would be given to Provincial Boards which would be formed. The Provincial Boards would then give the money to the farmers. Up till now we do not know what Government is doing about it. We want Government to come out with a statement here that this thing is really going to happen.

**Mr O. Arikpo** (Obubra Division): I like to call the attention of the Ministry to two matters which are more or less perennial in this House. The first one is the question of extension work. When in March this year the full Estimates were considered the House was given firm assurances that the extension work of the Department was going to be stepped up. I know that it was only nine months ago that these assurances were given; but I want to say that very little signs of the activities have been observed. It is very important at this stage to step up the extension work because that is the only means by which the experimental and research work of the Department can be carried to the door-step of the farmer.

The other point which I want to mention is the question of payment of royalty to persons deprived of land for forest reserves. There has been a number of petitions about this, and I think the Minister should give close attention to the matter.

Also, there has been a number of petitions to the Minister from persons whose lands are under reserve and who want to develop those lands into plantations. The attitude of the Ministry has so far been very unsatisfactory on this matter. On the one hand the Ministry encourages plantation development, and on the other refuses to allow owners of lands to have their lands for the purpose of developing these plantations. It is a matter which requires some careful study in order that the Ministry may strike the right balance between the amount of land required for agricultural development and that for forest reserve. I should like the Minister to give some personal attention to this matter.

*Question put and agreed to.*

#### Head 428.—Ministry of Commerce

*Question proposed: That a sum not exceeding £14,950 for Head 428—Ministry of Commerce—stand part of the Schedule.*

**The Minister of Commerce (Mr J. U. Nwodo):** I rise to move to add a new Sub-head as follows: Sub-head 25, Special Expenditure to cover Pharmaceutical Corporation Expenses for £14,300. Last February, the House approved funds to discharge the Corporation's overdraft. On that occasion, I did warn that further financial provision might be needed to meet valid claims against the Corporation. The liquidator has now gone most carefully through all the debts of the Corporation and his recommendations have been accepted by the Government.

I am not going to bother the House with details of this sum. I do assure you all that these claims have been closely scrutinised and that both our moral and legal obligations have been taken into account. Claims that were unfounded have been rejected.

*Amendment to create new Sub-head 25—Special Expenditure—to cover Pharmaceutical Corporation Expenses, and include provision of £14,300, put and agreed to.*

**Mr W. Abengowe (Aba Division):** Mr Chairman, may I make a report to this Ministry. I think time has come in this country for the Ministry of Commerce to have a look into some of the business organisations established in this

Region. Any organisation that is not prepared to Nigerianise should be asked to pack and go away. My reference is to the Bank of West Africa which has been very long in this country but has not been able to produce one African manager. This is most disappointing. It is my view that a bank like that, that has been enjoying our patronage up to this moment, but has not produced a single African Manager, should be asked to modify its scheme immediately in the interest of Nigeria.

Furthermore, may I make mention of a firm like the S.C.O.A. This firm does not pursue the Nigerianisation policy as it should do. The Minister should have an eye on these firms and make them speed up the rate of Nigerianisation in their respective organisations.

**The Minister of Justice and Attorney-General:** Mr Chairman, Banks come under the Federal Government.

**The Minister of Commerce:** There is one important thing in this motion which the House would like to know, and that is that although the law establishing the Pharmaceutical Corporation is being repealed now, this does not show any indication of any weakness on the part of the Government to pursue the establishment of Pharmaceutical Industry. Already in Aba where the hon. Gentleman comes from, there is Pfizers, a reputable Firm specialised in the manufacture of drugs and the employees of this Firm, with the exception of one, are all Nigerians. (*An hon. Member: No, we are talking about Bank*). Yes, I know, but I am trying to show what we are doing in my Ministry to promote the policy of Nigerianisation. This very Firm, Pfizers, which is now establishing in Aba will employ Nigerians in its work. As for the Bank which hon. Abengowe mentioned, the Attorney-General has already replied that Bank is a Federal subject. But I will not lose sight of the fact that any Company which establishes in this Region must comply with our policy of Nigerianisation.

**Mr J. M. Ito (Ikot Ekpene Division):** Mr Chairman, I want to speak on the question of grant given to local industries. If the purpose of giving grants to local industries is to be achieved, the sum of £50 given out to some local industries is too meagre and cannot make

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any improvement. So, I am drawing the attention of the Ministry of Commerce to that fact and would suggest that some sizable grants be made.

*Question put and agreed to.*

*Question: That an increased sum of £29,250 for Head 428—Ministry of Commerce—be inserted in the Schedule, put and agreed to.*

#### Head 429.—Ministry of Economic Planning

*Question proposed: That a sum not exceeding £2,510 for Head 429—Ministry of Economic Planning—stand part of the Schedule.*

**Mr V. K. Onyeri** (Port Harcourt Division): I know that this is a new Ministry but I think that it is a very important Ministry and I would like to draw attention to what I consider to be an inroad into the economy of the Region. I know that what I am going to speak relates to three Ministries: Commerce, Town Planning and Economic Planning.

Yesterday, we defended our policy of non-nationalisation of industries. Here again, we have to defend the indigenous natives of the Eastern Nigeria. What I mean is that we have discovered that so many industrialists are coming to the Region, and whenever they come they go to the Ministries that I have now mentioned, and table their programme—it may be to the Ministry of Commerce. The Ministry of Commerce will have to screen their credentials and say "O.K., we will like you to establish in the Region." But it will not stop there. They will demand acres of land for the establishment of the industries and at the same time demand building plots to live in. I will say, and I have said it before, that in doing some of these things, Government must be plain to all, that we are prepared to allow the industrialists to come to the Region to help us to put up some of these industries, but the interests of the natives concerned must be taken into consideration.

There are so many plots now allocated to the various natives in the Region on which buildings are now being erected. These commercialists can go there and live, there is

no need to allocate separate plots to them to build their own living quarters. I know that I am speaking this from experience. This is the only way, I feel, we can enhance the economic standard of the indigenes in this Region. God has given us this land to inherit and if we part with this treasure, I do not think that we are going to regain it any day.

*Question put and agreed to.*

#### Head 430.—Ministry of Education

*Question proposed: That a sum not exceeding £341,050 for Head 430—Ministry of Education—stand part of the Schedule.*

**Mr A. O. Chikwendu** (Bende Division): I cannot but emphasise the importance of the Ministry of Education initiating an extensive inspection of our primary schools. Wastage in our schools is terrible. During the long Budget Session, many of us spoke about inspection of our primary schools. It would appear that the Ministry is not very seriously bothered about this. The laxity in our teachers does not only reflect upon the progress of the pupils but also on the moral standard of our schools. So it becomes very necessary at this juncture that the Ministry should, if there are no graduates, employ many of our experienced teachers to become Inspectors of our primary schools. Unless we do this, a lot of money we spend on education will be wasted.

The Ministry of Education and the Ministry of Local Government should work together in a way to ensure that Local Government Councils employ Education Assistants to manage and supervise the Local Authority schools.

The lack of progress is worse in the Native Authority Schools: there is no control and no discipline, and the Council Secretaries who manage these schools are ill-equipped to organise and manage schools. It is very important that the Councils should employ people with experience and intelligence to manage and control the Local Authority schools. I am laying emphasis on the fact that Council Secretaries are ill-equipped and many of them leave the duties of the Councils running about pretending to be inspecting the schools merely for the purpose of collecting

increased mileage allowance. This is very poor and reflects adversely on the finances of the Council. I am appealing very strongly to the Minister of Local Government to ensure that Education Assistants are attached to these various Council Schools.

**Mr K. J. N. Okpokam** (Ikom Division): I wish to request the Government of Eastern Nigeria to be good enough to revise its policy of never awarding scholarships to any student studying outside West Africa. Some of these students left this country before the policy was introduced and therefore they should not be adversely affected. They did not know that their country did not want them to enter such Universities—Universities outside West Africa. In brief therefore, I would urge the Government, while encouraging our people to make use of West African Universities to consider those who entered Universities outside West Africa before the policy of automatic scholarship came into force. They should not be adversely affected by the policy but should rather be encouraged by the Government.

I have from experience come to the conclusion that it is very difficult for anybody who is a teacher to do his work well as a teacher and at the same time work well as a Member of the House of Assembly or the House of Representatives. It does not matter how qualified a man may be, it is generally difficult for one man to do two things at a time and do them well. It is difficult for a man to teach children well and also serve the country as a legislator.

Before most teachers were elected into the House they earned salaries below £800 per annum; but when they became elected their salaries came to £840 per annum as Members of the House. They can therefore very well afford to serve the country as politicians and leave the school room for a while.

Government should encourage this by providing that once a man becomes elected member of a legislature he is free to go on leave without pay for the period he remains a representative of his people. Most teachers know that they cannot always remain representatives of their people for they may fail future elections. If they had resigned their teaching work and became politicians and later on failed elections they would then lose their seniority

when they go back to teach. That is why most teachers continue to teach while serving as legislators. I am asking the Government to be good enough therefore to consider the point that, as soon as a teacher is elected to any of our Legislatures he should be free to be on leave without pay during the time he serves the country as a legislator. This will enable him go back to the teaching profession, in case he loses future election, without losing his seniority.

**Mr M. N. Onwuma** (Aba Division): I rise to thank the Government of Eastern Nigeria for extending the grant of 15 per cent Mbanefo Salary Award to teachers. Teachers are very grateful to the Government for this and have received the award gladly. I hope teachers will now sit to work harder, realising that Government recognises the difficulties they encounter in teaching. On their behalf, I thank the Government for what they have done.

It is very unfortunate that somebody who has been in this House and defending the teachers all the time stood up to say that any teacher who is a politician should resign just because he has resigned recently. To the best of my knowledge our time is not taken up altogether by attending the Sessions of the Eastern House. We only spend few days in the House and I do not think that these few days spent in the House make for inefficiency on the part of the teachers. A teacher could after attending the House go back to his school for teaching.

*Question put and agreed to.*

#### **Head 431—Ministry of Finance**

£39,500 for Head 431—Ministry of Finance agreed to.

#### **Head 432—Pensions and Gratuities**

£12,340 for Head 432—Pensions and Gratuities—agreed to.

#### **Head 434—Ministry of Health**

*Question proposed: That a sum not exceeding £15,670 for Head 434—Ministry of Health—stand part of the Schedule.*

**Mr D. E. Akilo** (Udi Division): I beg to seize this opportunity to make this my appeal to the Minister of Health. It is in respect of the Ezeagu Health Centre. When the people pay rates they expect to have the full benefits of whatever they pay for. I am speaking particularly in respect of the rates the people pay in order to be attended to in hospitals and health centres. The Ezeagu Health Centre is now getting its full capacity of attendance. Fortunately, of course, the Minister has been kind enough to be sending us a doctor who visits the centre once a week. Unfortunately, on the other hand, the doctor is not regular and when the people come on a day the doctor is supposed to come they are disappointed. This is a serious matter and the Minister must treat it as such.

For example, yesterday, sick people from various villages and towns for whom the centre is built came only to be told, after waiting for a long time, that the doctor was not coming. I am appealing to the Minister, to consider this my appeal, because whenever the people are sick and come to be treated, instead of being treated they are told that the doctor is not coming and their illness increases more and more. So the Minister will be doing us a lot of good if he makes the doctor to be regular. In this connection, I am suggesting that the doctor should be coming twice a week: first on Tuesday and second on Friday. This will meet the needs of my people.

I know that this irregularity is not only peculiar to the Ezeagu Health Centre. The same thing happens in the Agbaja/Ngwo and Nkanu Health Centres. The people are becoming very much disgusted even though they were told that something good was being done to them when the Health Centres were being built. Therefore, I am appealing to the Minister to advise the doctor to be regular in attendance and also to make him to be visiting the centre twice weekly. This will help the people to realise the real benefits of the Rural Health Centres.

*Question put and agreed to.*

**Head 435—Ministry of Information**

*Question proposed: That a sum not exceeding £35,070 for Head 435—Ministry of Information—stand part of the Schedule.*

**Mr J. W. E. Anaba** (Obubra Division): I want to speak on this Head but unfortunately the Minister is not here to hear what I am going to say because I want him to make a categorical statement on it. I would like to call upon the Minister to consider as very essential the immediate advisability of establishing the Information Division of his Ministry in my Division.

The geographical situation of my Division (it is on the other side of the Cross River) . . .

**An hon. Member:** What is the name of your Division?

**Mr Anaba:** It is Obubra Division. Mr Chairman, as I was saying, the geographical position of my Division makes it very important for Government to establish an Information Division there so as to make it possible for certain information of great importance to Government to be relayed to them.

*Question put and agreed to.*

**Head 436—Ministry of Internal Affairs**

£23,810 for Head 436—Ministry of Internal Affairs agreed to.

**Head 437—Ministry of Justice**

£10,290 for Head 437—Ministry of Justice—agreed to.

**Head 440—Ministry of Town Planning**

*Question proposed: That a sum not exceeding £8,350 for Head 440—Ministry of Town Planning—stand part of the Schedule.*

**Mr M. N. Onwuma** (Aba Division): I would like the Minister to make a categorical statement on the floor of this House that he will never sublet any land for residential purposes to foreigners. He should make this statement in the interest of this House and the Region at large. We are against such action—I mean subletting lands to foreigners—and the Minister should make a statement on it.

*Question put and agreed to.*

**Head 441—Ministry of Works**

*Question proposed: That a sum not exceeding £44,100 for Head 441—Ministry of Works—stand part of the Schedule.*



**Mr V. K. Onyeri** (Port Harcourt Division): This Ministry being the agent of the Federal Government in matters relating to roads, I want to appeal to the Minister in connection with the deplorable condition of Port Harcourt roads. During the Independence celebrations, but for the good efforts of the Shell-B.P., the U.A.C. and other commercial firms in Port Harcourt, the town would have been a disgrace to this country.

I am making this appeal not to the Regional Government as such but to the Federal Government since it is that Ministry that represents the latter in this Region. Mr Chairman, you know that that port contributes more than 38 per cent of the Federal Government's revenue and in a short time the Federal Government's funds will swell by the revenue it will derive from the oil in Port Harcourt. I am appealing, therefore, to the Federal Government through the Hon. Minister to see that at least 1/50th of the revenue derived from Port Harcourt is set aside for improving the roads in the town.

**Mr J. O. Ihekwoaba** (Orlu Division): I want to speak on the condition of the Orlu-Amaraku-Owerri road. This road is very important to the Division and we have spoken a lot about tarring it in this House. It is being said that about £11,000 to £35,000 has been spent on the road. But this is mere paper work and there is no truth in it. This road is important to us because it is through it that we export our produce. We want the Minister to have this road tarred. There is no need coming to this House to be repeating one thing over and over again. The road is important to us and we want it to be tarred. Let the Minister take note.

*Question put and agreed to.*

*Question: That an increased sum of £660,120 be inserted in the First Schedule—put and agreed to.*

## SECOND SCHEDULE

### Head 801—Buildings

£268,310 for Head 801—Buildings—agreed to.

### Head 802—Road and Bridge Construction

£257,420 for Head 802—Road and Bridge Construction—agreed to.

### Head 803—Urban Water Supplies

£272,820 for Head 803—Urban Water Supplies—agreed to.

### Head 804—Industrial and Commercial Development

£9,700 for Head 804—Industrial and Commercial Development—agreed to.

### Head 805—Development, General

£558,640 for Head 805—Development, General—agreed to.

### Head 806—Colonial Development and Welfare Schemes

£544,350 for Head 806—Colonial Development and Welfare Schemes—agreed to.

### Head 807—Renewals

£11,820 for Head 807—Renewals—agreed to.

### Head 808—Loans

£101,000 for Head 808—Loans—agreed to.

£2,024,060 for Second Schedule—agreed to.

### Postponed Clauses

*Clause 1 agreed to.*

*Clause 2.*

**The Minister of Finance (Dr S. E. Imoke):** I beg to move (a) that in clause 2, lines 4 and 5, the words "six hundred and forty-five thousand, eight hundred and twenty pounds" be left out and "six hundred and sixty thousand, one hundred and twenty pounds" be inserted therefor.

(b) That in the marginal note to the clause, "£645,820" be left out and "£660,120" be inserted therefor.

*Question put and agreed to.*

*Clause 2 as amended agreed to.*

*Clause 3.*

**The Minister of Finance:** I beg to move  
(a) that in clause 3, lines 1 and 2, the words  
"six hundred and forty-five thousand, eight  
hundred and twenty pounds" be left out and  
"six hundred and sixty thousand, one hundred  
and twenty pounds" be inserted therefor.

(b) That in the marginal note to the clause  
"£645,820" be left out and "£660,120" be  
inserted therefor.

*Question put and agreed to.*

*Clause 3 as amended agreed to.*

*Clauses 4-6 agreed to.*

*Question: That the Preamble be the Preamble  
to the Bill—put and agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported with Amendments. And pursuant  
to Standing Order 77 (19) the Minister of  
Finance moved: That the Bill as amended be  
now read the Third time forthwith and passed—  
and the Speaker put the Question thereon to the  
House without amendment or debate.*

*Question agreed to.*

*Bill accordingly read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the  
appropriate Message.*

## (2) The Eastern Nigeria Development Corporation (Amendment) Bill

(Considered in Committee)

*Clause 4.*

*Question again proposed: That clause 4  
stand part of the Bill.*

**Mr B. C. I. Obanye** (Onitsha Division):  
Yesterday, I did make this point that clause 4  
be amended by inserting the word "law"  
between "a" and "contract" and I did give  
my reasons for the amendment.

**The Minister of Commerce (Mr J. U.  
Nwodo):** I am advised that the amendment  
is in order and therefore we accept it.

*Question put and agreed to.*

*Clause 4 as amended agreed to.*

*Clause 5 agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported with an Amendment; as amended  
read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the  
appropriate Message.*

## (3) The Laws of Eastern Nigeria (Declara- tion of Commencement) Bill

*Order for Second Reading read.*

**The Minister of Justice and Attorney-  
General (Mr M. O. Ajegbo):** I beg to move  
that the Bill be now read a Second time.

There have been some doubts as to the dates  
of commencement of certain of our laws  
enacted before Independence, and the sole  
object of this Bill is to remove these doubts and  
provide in a handy form, as a quick reference,  
the dates on which the laws came into force.  
The Bill is non-contentious.

**The Minister of Town Planning (Mr E.  
Emole):** I beg to second.

**Mr B. C. I. Obanye** (Onitsha Division): I  
rise to commend this Bill, in that it will serve a  
very useful purpose in letting the public know  
exactly the actual dates of commencement of  
the various laws. But in doing so I feel  
obliged to point out that the Bill could also do  
some untold havoc. For instance, if you look  
at clause 2 of the Bill, it says:—

"Notwithstanding anything to the contrary  
contained—

(a) in a Law cited in the second column of  
the Schedule;

(b) in a notice given pursuant to a Law; or  
(c) in-between the (long) title and words  
of enactment of that Law;

that Law is deemed to have come into operation  
on the date—

(d) mentioned in column three of the  
Schedule, and

(e) appearing opposite to that Law."

In other words, the dates of commencement  
mentioned in the third column become the

actual dates of commencement of these laws, and whatever original dates of commencement they may have had are hereby wiped away. Now, there is no provision throughout the whole Bill to save whatever actions, rights, liabilities or obligations that may have arisen or may have been undertaken pursuant to the original dates of commencement. For instance, if a particular law mentioned here has the date of commencement as 17th of September, 1955 whereas its original date of commencement was, say, 17th of January, 1955, from 17th January, 1955 to 17th September, 1955 the law had been in operation and certain people might have acquired rights pursuant to the original date of commencement. If those rights are not saved by a saving clause in this Bill they are all illegal and are all wiped away. So I am suggesting that, to make it a better law, it might be necessary to insert a third clause saving everything that might have accrued to anybody under those laws pursuant to the original date of commencement. It might be necessary at this stage to consider it. I thought I should make it an amendment but I felt that I might as well put it across right now.

**The Minister of Justice and Attorney-General:** My learned Friend's argument does not refer to a specific case where a particular date in the draft Bill does not coincide with the date published in the law already; that is, where there is a departure from the date already provided in the law. I think he is mistaken, and so I am not prepared to accept the amendment. The intention so far is to produce in a concise form the operative dates of all the laws, validating, where necessary, some of the dates that might have appeared

wrongly in the laws. That is, where in a particular case we find that the date appearing in the law has been wrongly inserted, we are trying to validate the operative date of that law as contained in the law.

*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.*

*Schedule agreed to.*

*Bill to be reported.*

(Mr Speaker resumed the Chair)

*Bill reported without Amendment, read the Third time and passed.*

*Bill to be sent to the House of Chiefs with the appropriate Message.*

**REVISION OF CERTAIN FEES  
PAYABLE UNDER STAMP  
DUTIES ORDINANCE**

**The Minister of Finance (Dr S. E. Imoke):** I beg to move that pursuant to section 114 (2) of the Stamp Duties Ordinance, Cap. 191 of the Laws of Nigeria, 1958, this House resolves to increase the Stamp Duty chargeable in respect of the documents or matters, the details of which are as follows :—

| <i>Nature of Duty</i>   | <i>Present Rates</i>       | <i>Proposed</i> |
|---|----------------------------|-----------------|
| Agreement or any Memorandum of an Agreement under hand only and not otherwise specifically charged with any duty, whether the same be only evidence of a contract or obligatory upon the parties from its being a written instrument ... .. | 1s ... ..                  | 1s 6d.          |
| Agreement, Hire Purchase ... ..   | 1s to 20s ... ..           | 1s 6d to 30s.   |
| Appointment of Commissioner of the Supreme Court ... ..   | £3 ... ..                  | £4 10s.         |
| Appraisalment or Valuation of any property, etc.  | For every £25—2s 6d ... .. | 3s 9d.          |
|   | For every £100—£1 ... ..   | £1 10s.         |
| Award ... ..  | For every £25—2s 6d ... .. | 3s 9d.          |
|   | For every £100—£1 ... ..   | £1 10s.         |
| Bill of Sale ... ..   | For every £25—5s ... ..    | 7s 6d.          |

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| <i>Nature of Duty</i>   | <i>Present Rates</i>  | <i>Proposed</i>  |
|---|---|--|
| Bonds ... ..  | 5s to £1 ... ..   | 7s 6d to £1 10s.   |
| Bond, Covenant, or Instrument of any kind whatsoever ... ..   | 1s to 5s ... ..   | 1s 6d to 7s 6d.  |
| Bond given pursuant to the directions of Ordinance, etc. ... ..   | 5s to 10s ... ..  | 7s 6d to 15s.  |
| Contract Notes ... ..   | 2d to 1s ... ..   | 3d to 1s 6d.   |
| Conveyance or Transfer of Sale, of any property or enjoyment of, or the title to the property before described ... ..   | For every £25—5s<br>£1 ... ..   | 7s 6d.<br>£1 10s.  |
| Covenant. Any separate deed of covenant (not being an instrument chargeable with <i>ad valorem</i> duty as a conveyance on sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to the property sold or mortgaged, or to the production of the muniments of title relating thereto) ... .. | Less than £1 amount equivalent to <i>ad valorem</i> duty.<br>More than £1—£1 ... .. | 1½ times the amount equivalent to <i>ad valorem</i> duty.<br>£1 10s. |
| Renunciation ... ..   | 1s ... ..   | 1s 6d.   |

The documents and matters referred to in the Motion are those over which this Government has exclusive competence; that is, those dealing with the subjects that appear neither in the Exclusive nor in the Concurrent Legislative List. The Federal Government has been requested to increase the duty in respect of those matters appearing on these lists.

Over the past three years discussions have gone on between this and the other Governments of the Federation on the possibility of increasing the rates of Stamp Duty chargeable. The rates have remained static for many years now, and hon. Members will agree that the 50 per cent increase now proposed in respect of the documents listed is by no means unreasonable; it will be applied by all the Governments of the Federation.

I should like to commend the proposed increases to the House, and to point out that

they do not affect the commonest of all Stamp Duties: the charge of two pence levied upon a receipt for money paid, which will remain unchanged for the present. The increases will assure this Region of an increase in revenue of no less than £8,000 per year, and hon. Members will agree with me that at this time, when we are engaged in finding ways and means of improving our revenues, the present proposals should receive the unanimous support of this House.

**The Minister of Internal Affairs (Mr I. U. Akpabio):** I beg to second.

*Question put and agreed to.*

**ADJOURNMENT**

Resolved: That this House do now adjourn *sine die*. (*The Minister of Finance Dr S. E. Imoke*).

*Adjourned, accordingly, at twenty-five minutes to twelve o'clock noon.*

## WRITTEN ANSWERS TO QUESTIONS

Tuesday, 8th November, 1960

**U.P.E. School Teachers**

36. **Mr H. U. E. Edelduok** asked the Minister of Education, if he is aware that when the U.P.E. scheme started in 1957 a number of unqualified and inefficient teachers were drafted into U.P.E. Schools and as a result no good foundation was laid in the education of thousands of children attending such schools; if so, will the Minister consider the possibility of appointing special Supervising Teachers on Provincial or Divisional basis for the purpose of supervising teaching in U.P.E. Schools and spotting out unsuitable teachers for removal or termination of appointment.

**The Minister of Education:** Local Authority schools like other Primary schools in the region contain efficient and qualified teachers as well as a number of inefficient and unqualified teachers. Nearly all new Primary schools both Voluntary Agency and Local Authority are staffed in the first few years almost entirely with uncertificated teachers, the quality of the staffing being improved as the schools grow and qualified teachers become available. For instance, the old Local Authority schools, e.g., one at Aba and one at Port Harcourt, compare favourably in staffing and efficiency with the better and older type of Voluntary Agency schools. There are eleven local Government Training Colleges established with grants from Government which are training teachers for the schools in question. In addition to these the Government Training College at Uyo and the Women's Training College, Enugu also train teachers for Local Government Councils. It is not the duty of Government to appoint Supervising teachers specially for District Council schools only. A District Council or group of District Councils can appoint its own Education Assistant or Visiting Teacher to supervise its schools. In addition, the Provincial Education inspectorate staff are there to supervise and advise all primary schools.

**Appointment of U.P.E. School Teachers**

37. **Mr H. U. E. Edelduok** asked the Minister of Education, if he is aware that bribery and corruption is rife in the appointment of U.P.E. School teachers; if so, will the Minister take steps to remedy the situation by introducing open competitive examinations on Divisional basis for the appointment of U.P.E. teachers.

**The Minister of Education:** There have been allegations of bribery and corruption in the appointment of teachers in a few District Council areas and in most cases the complainants are advised to report to the police if they can substantiate their allegations.

It is now ruled that the Provincial Education Officer should be present or be represented in all selection meetings, as this is the only way he can ensure that the most suitable teachers are selected, and the hon. Minister of Local Government has delegated to him the power to approve or not to approve District Council school teachers.

**Technical Education**

38. **Mr H. U. E. Edelduok** asked the Minister of Education, the number of Technical Schools, Government and Voluntary Agency, there are in this Region; is the Minister aware of the dire need for technical education in this Region; if so, will he consider the advisability of building Technical Schools on provincial basis to help ease the existing situation of unemployment in the Region.

**The Minister of Education:** The number of institutions at which technical training is given at primary, post primary or post secondary level (including domestic science for women) is as follows:

|                         |       |
|-------------------------|-------|
| Government ... ..       | 23    |
| Voluntary Agency ... .. | 15    |
| Industry ... ..         | 3     |
|                         | <hr/> |
| Total ... ..            | 41    |
|                         | <hr/> |

Another Government institution is under construction.

Government is aware of the need for technical education. To this end, with the assistance of Colonial Development and Welfare funds, the number of handicraft centres and Domestic Science centres has been almost doubled, technical facilities have been added to two leading boys secondary schools, the programmes of the Government Trade Centre and the Government Technical Institute have been reorientated to suit the demands of industry which keeps in touch with the Ministry through the Technical Advisory Committee. Further expansion of technical education is dependent upon the availability of funds.

## APPENDIX WRITTEN QUESTIONS

(Answers received during Adjournments—)

15th April to 5th October and 7th October to 7th November, 1960)

### St. Anthony Maria School in Santa Isabel, Fernando Po

12. **Mr S. E. K. Iwueke** asked the Minister of Education, whether the Government is showing any interest in the education of the children of the Eastern Nigerian workers in Fernando Po; what steps have been taken with the Federal Government to secure grants-in-aid for St. Anthony Maria School catering primarily for the education of the Eastern Nigerian workers' children on the Island.

**The Minister of Education:** This matter is a Federal responsibility, but my Ministry is in contact with the Federal Ministry of Education on this question.

The Federal Government assists by means of an annual subvention of £1,500 a School at Santa Isabel which is under the proprietorship of the British Chaplain. This School has also recently received a grant-in-aid of capital expenditure of £3,000 and a new building was completed with additional aid from Messrs U.A.C. and other commercial firms at a cost of almost £7,000. The School has been inspected from time to time by Federal Officers in the Southern Cameroons. With regard to the Roman Catholic School, St. Anthony Maria, an application was recently received from its manager asking for recognition for the Federal Primary School Leaving Certificate. As soon as an officer and transport are available, an inspection of this school will be made, during which the question of its eligibility for grant-in-aid will be considered.

### Teachers' Conditions of Service

15. **Mr M. A. Idoko** asked the Minister of Education, if his Ministry is doing anything about the service condition of teachers of Voluntary Agencies, with special reference to granting them pension and gratuity on the same basis as their counterparts in the civil service.

**The Minister of Education:** The attention of the hon. Member is drawn to the Rules for the Award of Retiring Allowances and gratuities to non-government certificated teachers which are published as Public Notices Nos. 117 of 1950, 49 of 1951 and 2 of 1952. The scheme, unlike that in operation in many other countries, notably the United Kingdom, is a non-contributory one and normally provides for the payment of a pension at the age of fifty-five years to certificated teachers with not less than fifteen years continuous service or, in the case of those with not less than five years service who fail to qualify for a pension, for the payment of a gratuity at the same age.

### African Staff Housing Scheme

19. **Mr M. N. Onwuma** asked the Minister of Finance, how many civil servants asked for Loans under the African Staff Housing Scheme to build houses of their own, how many received the loans during the year 1st April, 1959 to 31st March, 1960.

**The Minister of Finance:** Two hundred civil servants have applied for loans in the Eastern Region since the establishment of the Government Staff Housing Scheme and of this number forty have received loans totalling £55,040. In the financial year 1959-60 twenty-seven applications were received and nine approved for loans. Eleven were referred to the Nigeria Building Society and are being actively considered. The rest were either withdrawn or rejected.

### Investments

20. **Mr M. N. Onwuma** asked the Minister of Finance, what efforts have been made in recent times to ascertain whether there now exist suitable Nigerian Markets for the investment of cash surplus to the day-to-day requirements of Government so as to obviate or reduce the incidence of transferring excess cash holdings to London for investment by the Crown Agents for Overseas Government and Administration.

**The Minister of Finance:** The Central Bank of Nigeria has just made a first issue of Nigerian Treasury Bills and this Government has applied for an allotment of £200,000. Government considers this a suitable form of investment for cash surplus to its day-to-day needs, provided the rate of discount represents a rate of interest not less favourable than that obtainable on short-term loans elsewhere or accruing on deposits in the Joint Consolidated Fund.

#### Radioactive Fallout

39. **Mr S. E. K. Iwueke** asked the Premier in view of the fact that some radioactive fallout has been detected in some parts of this country and in Ghana, to what extent is inspection being undertaken to determine whether there is evidence of radioactive fallout in this Region.

**The Premier:** I am informed by the Prime Minister of the Federation that six stations for sampling radioactive fallout have been operating in Nigeria since October last. One of these stations is at Port Harcourt and at this station minimal traces of fallout were measured in mid-February which could be attributed to the first explosion. No fallout from the second explosion was detected at Port Harcourt or at any of the other five stations in Nigeria. The other five stations are Maiduguri, Kano, Sokoto, Kaduna and Ikeja.

#### Unemployment

42. **Mr S. E. K. Iwueke** asked the Minister of State (Information and Welfare) what steps he is taking to deal with the growing problem of mass unemployment among school leavers.

**The Minister of State (Information and Welfare):** Because of the small use made of Employment Exchanges in the Region there is no reliable means of measuring the extent of unemployment among school leavers.

There is no mass unemployment among secondary school leavers. Wage earning employment for the primary school leavers remains scarce, but with increasing industrialisation in the Region the prospects of employment for this class of persons seem brighter in the not distant future.

#### Tarring of Roads in Eket Division

54. **Mr H. U. E. Edelduok** asked the Minister of Works, when will the tarring of

the Eket-Oron and Uyo-Ikot Ubo roads be commenced, necessary provisions having been made in the current Estimates.

**The Minister of Works:** Contract documents for the Oron-Eket road are at present being prepared and it is hoped that work will begin this coming dry season.

The Survey of the Uyo-Ikot Ubo road is fifty per cent complete but it is not possible now to give a date when construction will begin. It is however listed in the Development Plan and will be undertaken when funds are available.

#### Tarring of Awgu-Ndeaboh Road

55. **Mr G. I. Oko, M.B.E.,** asked the Minister of Works, whether he is aware of the commercial importance and usefulness of Awgu-Ndeaboh road to the public of this Region; if so, how soon will the tarring of this road commence.

**The Minister of Works:** I assure the hon. Member that I am aware of the economic importance of the road. The hon. Member will remember that he asked me a similar question in 1958 when the road was being surveyed. Since then work has begun on a large bridge at mile 6, but owing to the inefficiency of the contractor completion has been delayed and it will be finished by direct labour.

The attention of the hon. Member is drawn to sub-head 44 Head 802 of the Estimates where token provision is made for the Awgu-Ndeaboh-Mpu-Okposi-Abbaomega road of which the road mentioned is but a small part. Subject to funds being available, work should begin in 1962.

#### Criminal and Civil Cases in Magistrate's Courts

58. **Mr C. A. Abangwu** asked the Minister of Justice and Attorney-General, how many criminal and civil cases are pending in the following stations of the Enugu Magisterial district:—

- (a) Enugu; (b) Nsukka; (c) Udi and (d) Agbani.

**The Minister of Justice and Attorney-General:**

| Stations   | Criminal | Civil |
|------------|----------|-------|
| Enugu ...  | 282      | 392   |
| Nsukka ... | 71       | 19    |
| Udi ...    | 21       | 2     |
| Agbani ... | 24       | 9     |

**County Court Appeals**

59. Mr C. A. Abangwu asked the Minister of Justice and Attorney-General, how many county court appeals have been heard or disposed of in the Enugu Magisterial district since August 1958; how many such appeals are pending in these courts since 1958.

**The Minister of Justice and Attorney-General:**

|                    |                |
|--------------------|----------------|
| <i>Disposed of</i> | <i>Pending</i> |
| 43                 | 81             |

**Tarring of Amike-Effium Road**

61. Mr N. Nweze asked the Minister of Works, why the Government has not fulfilled the undertaking given since 1955 to tar the Amike-Effium road in Abakaliki Division.

**The Minister of Works:** The hon. Member will be aware that the Amike-Effium road is one of many in the development programme. The survey has been completed and contract documents will soon be prepared.

The hon. Member should rest assured that the undertaking to tar this road will be fulfilled.

**Chieftaincy Dispute at Oguta**

62. Rev. M. D. Opara asked the Minister of Internal Affairs, how many cases of shooting have been reported and in which village have they occurred since the Chieftaincy dispute began at Oguta; what was the cause of death of Okoroafor Nwabianu, a member of Nnani Ndokwu's family of Oguta with special reference to the post mortem examination held on the body of the deceased at Owerri Hospital.

**The Minister of Internal Affairs:** Six cases of shooting were reported from Oguta area during the Oguta Chieftaincy Dispute; two from Umudei quarter, one from Umuosu, one from Umudei/Ngegwu village, one from Okechi and one from Umenu.

Post mortem report on Okoroafor Nwabianu shows death from natural causes.



**WRITTEN ANSWER TO QUESTION**

*Wednesday 9th November, 1960*

**Survey Stores**

64. **Mr W. Abengowe** asked the Minister of Town Planning, what is the present estimated cost of tools, instruments, and stores of the

Survey Division of the Ministry of Town Planning.

**The Minister of Town Planning:** The present estimated cost of tools, instruments and stores of the Survey Division is £18,040.

## WRITTEN ANSWERS TO QUESTIONS

Thursday, 10th November, 1960

### Implementation of Water Scheme

56. **Mr G. I. Oko, M.B.E.**, asked the Minister of Works, how soon will the water supply scheme for Ndeaboh and other water scarcity areas in Awgu south commence; will the Minister consider supplying these areas with pipe-borne water.

**The Minister of Works:** The provision of water supplies in those areas of Awgu Division which lie below the escarpment is a difficult and expensive problem, due to the geological formations of the area. I am, however, hopeful that a borehole we have recently completed at Ogugu in the sandstone strata occurring there will permit a piped supply for Ndeaboh and Lengwe. Pipes for this large undertaking, which will cost £44,000, are now on order.

### Awgu-Ozala-Enugu Road

57. **Mr G. I. Oko, M.B.E.**, asked the Minister of Works, what are the terms of the contract agreement between the Government and the firm of contractors which tarred the Awgu-Ozala-Enugu road; whether the Minister is satisfied with the work being done by this

firm of contractors on this road; whether the work done there is worth the money paid the contractors; if the Minister is not satisfied with the work being done on the road what step is he taking to effect immediate improvement before the rains set in.

**The Minister of Works:** The terms of agreement for this contract are contained in the contract documents. They are too lengthy to quote here, but if the hon. Member so desires, he is free to peruse them at any time by making application to me.

The contract for this road did not specify any raising of the formation nor an adequate base course or drainage, and whilst I am in no way satisfied with the results one cannot expect a contractor to carry out works not included in the contract. Government has very limited finances and tries to spread the little money it has as far as possible. However, in this contract which costs under £3,000 a mile, it is now clear that the specifications were inadequate for the last eleven miles and a fresh survey has now been carried out and I have every hope that during the coming dry season, the last eleven miles of this road will be reconstructed to an adequate standard.

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FOURTH SESSION (1960-61) THIRD MEETING

8th to 10th November, 1960

## ABBREVIATIONS

|                                |   |   |
|--------------------------------|---|---|
| Adj. Deb. = Adjournment Debate | Com. = Committee                                | E.N. = Eastern Nigeria                    |
| 1R = First Reading             | C.P.A. = Commonwealth Parliamentary Association | Q = Oral Question                         |
| 2R = Second Reading            |   | W = Written Question—<br>at end of Volume |
| 3R = Third Reading             |   |   |

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